

LIBERIAN STATUTES

1847 - 1857

EDWIN BARCLAY

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1847-1887

Samuel Barclay

EDWIN B. CLAY

BOOK I.

DECLARATION OF INDEPENDENCE IN CONVENTION

OWN OF MONROVIA; JUNE AND JULY, 1847,

WE, the representatives of the people of the Commonwealth of Liberia, in Convention Assembled, invested with authority for forming a new government, relying upon the aid and protection of the Great Arbiter of human events, do hereby, in the name and on behalf of the people of this Commonwealth, publish and declare the said Commonwealth a FREE, SOVEREIGN and INDEPENDENT STATE, by the name and style of the REPUBLIC of LIBERIA.

While announcing to the nations of the world the new position which the people of this Republic have felt themselves called upon to assume, courtesy to their opinion seems to demand a brief accompanying statement of the causes which induced them, first to expatriate themselves from the land of their nativity and to form settlements on this barbarous coast, and now to organize their government by the assumption of a sovereign and independent character. Therefore we respectfully ask their attention to the following facts:

We recognize in all men, certain natural and inalienable rights: among these are life, liberty, and the right to acquire, possess, enjoy and defend property. By the practice and consent of men in all ages, some system or form of government is proven to be necessary to exercise, enjoy, and secure these rights; and every people has a right to institute a government and to choose and adopt that system or form of it, which, in their opinion, will most effectually accomplish these objects, to secure their happiness, which does not interfere with the rights of others. The right therefore to institute government, and all the powers necessary to conduct it, is an inalienable right, and cannot be resisted without the grossest injustice. We, the people of the Republic of Liberia, were originally inhabitants of the United States of North America.

For parts of that country, we were debarred by law from
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We were every where shut out from all civil office.

We were excluded from all participation in the government.

We were taxed without our consent.

We were compelled to contribute to the resources of a country, which gave us no protection.

We were made a separate and distinct class, and against every avenue to improvement was effectually closed. Strangers from all lands of a color different from ours, were preferred before us.

We uttered our complaints, but they were unattended to, or met only by alleging the peculiar institution of the country.

All hope of a favorable change in our country was thus wholly extinguished in our bosom, and we looked with anxiety abroad for some asylum from the deep degradation.

The Western coast of Africa was the place selected by American benevolence and philanthropy, for our future home. Removed beyond those influences which depressed us in our native land, it was hoped we would be enabled to enjoy those rights and privileges, and exercise and improve those faculties, which the God of nature has given us in common with the rest of mankind.

Under the auspices of the American Colonization Society, we established ourselves here, on land acquired by purchase from the lords of the soil.

In an original compact with this Society, we for important reasons, delegated to it certain political powers; while this institution stipulated that whenever the people should become capable of conducting the government, or whenever the people should desire it, this institution would resign the delegated power, peaceably withdraw its supervision, and leave the people to the government of themselves.

Under the auspices and guidance of this institution, which has nobly and in perfect faith redeemed its pledges to the people, we have grown and prospered.

From time to time, our number has been increased by migration from America, and by accessions from native tribes; and from time to time, as circumstances required it, we have extended our borders by acquisition of land by honorable purchase from the natives of the country.

As our territory has extended, and our population increased, our commerce has also increased. The flags of most of the civilized nations of the earth float in our harbors, and their merchants are opening an honorable and profitable trade. Until recently, these visits have been of a uniformly harmonious character, but as they have become more frequent, and to numerous points of our extending coast, questions have arisen which it is supposed can be adjusted only by agreement between sovereign powers.

For years past, the American Colonization Society has actually withdrawn from all direct and active part in the

tration of the Government, except in the appointment of the Governor, who is also a colonist, for the apparent purpose of testing the ability of the people to conduct the affairs of Government; and no complaint of crude legislation, nor of mismanagement, nor of mal-administration has yet been heard.

In view of these facts, this institution, the American Colonization Society, with that good faith which has uniformly marked all its dealings with us, did, by a set of resolutions in January, in the Year of Our Lord One Thousand Eight Hundred and Forty Six, dissolve all political connexion with the people of this Republic, return the power with which it was delegated, and left the people to the government of themselves.

The people of the Republic of Liberia then, are of right, and in fact, a free sovereign and independent State, possessed of all the rights, and powers, and functions of government.

In assuming the momentous responsibilities of the position they have taken, the people of this Republic, feel justified by the necessities of the case, and with this conviction they throw themselves with confidence upon the candid consideration of the civilized world.

Liberia is not the offspring of grasping ambition, nor the tool of avaricious speculation.

No desire for territorial aggrandizement brought us to these shores; nor do we believe so sordid a motive entered into the high consideration of those who aided us in providing this asylum.

Liberia is an asylum from the most grinding oppression.

In coming to the shores of Africa, we indulged the pleasing hope that we should be permitted to exercise and improve those faculties, which impart to man his dignity—to nourish in our hearts the flame of honorable ambition, to cherish and indulge those aspirations, which a Beneficent Creator hath implanted in every human heart, and to evince to all who despise, ridicule and oppress our race that we possess with them a common nature, are with them susceptible of equal refinement, and capable of equal advancement in all that adorns and dignifies man.

We were animated with the hope, that here we should be at liberty to train up our children in the way they should go—to inspire them with the love of an honorable fame, to kindle within them, the flame of a lofty philanthropy, and to form strong within them, the principles of humanity, virtue and religion.

Among the strongest motives to leave our native land—to abandon forever the scenes of our childhood, and to sever the endeared connexions, was the desire for a retreat where, from the agitations of fear and molestation, we could, in repose and security, approach in worship the God of our fathers.

As far our highest hopes have been realized.

Liberia is already the happy home of thousands, who were the doomed victims of oppression; and if left unmolested,

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to grow with her natural and spontaneous growth: if her movements be left free from the paralyzing intrigues of jealous ambition and unscrupulous avarice, she will throw open a wider and a wider door for thousands who are now looking with an anxious eye for some land of rest.

Our courts of justice are open equally to the stranger and the citizen, for the redress of grievances, for the remedy of injuries, and for the punishment of crime.

Our numerous and well attended schools attest our efforts, and our desire for the improvement of our children.

Our churches for the worship of our Creator, every where to be seen, bear testimony to our piety, and to our acknowledgement of His Providence.

The native African, bowing down with us before the altar of the living God, declare that from us, feeble as we are, the light of christianity has gone forth; while upon that curse of curses, the slave trade, a deadly blight has fallen as far as our influence extends.

Therefore, in the name of humanity, and virtue and religion—in the name of the Great God, our common Creator, and our common Judge, we appeal to the nations of christendom, and earnestly and respectfully ask of them, that they will regard us with the sympathy and friendly consideration, to which the peculiarities of our condition entitle us, and to extend to us that comity which marks the friendly intercourse of civilized and independent communities.

Done in CONVENTION, at Monrovia, in the county of Montserrado, by the unanimous consent of the people of the Commonwealth of Liberia, this twenty-sixth day of July, in the Year of Our Lord One Thousand Eight Hundred and Forty-seven: In witness whereof we have hereto set our names.

MONTSERRADO COUNTY.

S. BENEDICT, *President*
H. TEAGE,
ELIJAH JOHNSON,

J. N. LEWIS,
BEVERLY R. WILSON,
J. B. GRIPON,

GRAND BASSA COUNTY.

JOHN DAY,
AMOS HERRING,

A. W. GARDNER,
EPHRAIM TITLER,

COUNTY OF SINOE.

R. E. MURRAY.

JACOB W. PROUT, *Secretary to the Conven*

CONSTITUTION

OF THE

REPUBLIC OF LIBERIA

PREAMBLE

The end of the institution, maintenance, and administration of government, is to secure the existence of the body politic, to protect it, and to furnish the individuals who compose it, with the power of enjoying in safety and tranquility, their natural rights, and the blessings of life; and whenever these great objects are not obtained, the people have a right to alter the government and to take measures necessary for their safety, prosperity, and happiness.

Therefore, we the People of the Commonwealth of Liberia, in Africa, acknowledging with devout gratitude, the goodness of God, in granting to us the blessings of the Christian Religion, and political, religious and civil liberty, do, in order to secure these blessings for ourselves and our posterity, and to establish justice, insure domestic peace, and promote the general welfare, hereby solemnly associate, and constitute ourselves a Free, Sovereign and Independent State by the name of the REPUBLIC of LIBERIA, and do ordain and establish this Constitution for the government of the same.

ARTICLE 1.

BILL OF RIGHTS.

Natural and inalienable rights of all men.....	1
All power is inherent in the people—govt. instituted for their benefit....	2
Right of all men to worship God according to the dictates of their own consciences.....	5

CONSTITUTION OF THE REPUBLIC OF LIBERIA

There shall be no slavery within this Republic.....	4
The people have a right to assemble—instruct Rep,—and petition the govt. .	5
Justice without denial—trial by jury—heard in person or by council &c. .	6
Held to answer, in what case—not give evidence against himself &c. .	7
Not deprived of life, liberty &c, but by judgment of peers or the law of the land.....	8
No places searched, unless upon warrant lawfully issued.....	9
Excessive bail not required, contracts &c not impaired—no <i>ex post facto</i> law	10
Elections by ballot—qualifications for suffrage.....	11
To keep and bear arms—military subordinate to the civil authority....	12
Private property not to be taken for public use without &c.....	13
Government, powers divided—not to include Justices of the peace.....	14
Liberty of the press not restrained—speak, write, and print being responsible, indictments for libels, jury determine law and facts &c....	15
No impost or duties without the consent of the people or their Rept's....	16
Legislatures to direct what suits and how brought against the Republic.....	17
Who are subject to the law martial &c.....	18
Right of the people to cause the r public officers to return to private life....	19
Prisoners bailable; writ of <i>habeas corpus</i> benefit of &c &c.....	20

SECTION 1. All men are born equally free and independent, and have certain natural, inherent and inalienable rights : among which, are the rights of enjoying and defending life and liberty, of acquiring, possessing and protecting property, and of pursuing and obtaining safety and happiness.

SECTION 2. All power is inherent in the people ; all free governments are instituted by their authority, and for their benefit and they have the right to alter and reform the same when their safety and happiness require it.

SECTION 3. All men have a natural and inalienable right to worship God according to the dictates of their own consciences, without obstruction or molestation from others : all persons demeaning themselves peaceably, and not obstructing others in their religious worship, are entitled to the protection of law, in the free exercise of their own religion, and no sect of christians shall have exclusive privileges or preference over any other sect; but all shall be alike tolerated ; and no religious test whatever shall be required as a qualification for civil office, or the exercise of any civil right.

SECTION 4. There shall be no slavery within this Republic. Nor shall any citizen of this Republic, or any person resident therein, deal in slaves, either within or without this Republic, directly or indirectly.

SECTION 5. The people have a right at all times, in an orderly and peaceable manner to assemble and consult upon the common good, to instruct their representatives, and to petition the government, or any public functionaries for the redress of grievances.

SECTION 6. Every person injured shall have remedy therefor, by due course of law ; justice shall be done without sole denial or delay ; and in all cases, not arising under martial law or upon impeachment, the parties shall have a right

to a trial by jury, and to be heard in person or by council, or both. *See 40 PRU 775.*

SECTION 7. No person shall be held to answer for a capital or infamous crime, except in cases of impeachment, cases arising in the army or navy, and petty offences, unless upon presentment by a grand jury; and every person criminally charged shall have a right to be seasonably furnished with a copy of the charge, to be confronted with the witnesses against him,—to have compulsory process for obtaining witnesses in his favor; and to have a speedy, public, and impartial trial by a jury of the vicinity. He shall not be compelled to furnish or give evidence against himself; and no person shall for the same offence, be twice put in jeopardy of life or limb.

SECTION 8. No person shall be deprived of life, liberty, property, or privilege, but by judgment of his peers or the law of the land.

SECTION 9. No place shall be searched, nor person seized on a criminal charge or suspicion, unless upon warrant lawfully issued, upon probable cause supported by oath, or solemn affirmation, specially designating the place or person, and the object of the search.

SECTION 10. Excessive bail shall not be required, nor excessive fines imposed, nor excessive punishments inflicted. Nor shall the legislature make any law impairing the obligation of contracts; nor any law rendering any act punishable in any manner in which it was not punishable when it was committed.

SECTION 11. All elections shall be by ballot; and every male citizen of twenty-one years of age, possessing real estate, shall have the right of suffrage.

SECTION 12. The people have a right to keep and to bear arms for the common defence. And as in time of peace, armies are dangerous to liberty they ought not to be maintained, without the consent of the legislature; and the military power shall always be held in exact subordination to the civil authority and be governed by it.

SECTION 13. Private property shall not be taken for public use without just compensation.

SECTION 14. The powers of this government shall be divided into three distinct departments: Legislative, Executive, and Judicial; and no person belonging to one of these departments shall exercise any of the powers belonging to either of the others. This section is not to be construed to include Justices of the Peace.

SECTION 15. The liberty of the press is essential to the security of freedom in a state; it ought not, therefore, to be restrained in this Republic.

The printing press shall be free to every person, who undertakes to examine the proceedings of the legislature, or any branch

of government ; and no law shall ever be made to restrain the rights thereof. The free communication of thoughts and opinions, is one of the invaluable rights of man, and every citizen may freely speak, write and print, on any subject, being responsible for the abuse of that liberty.

In prosecutions, for the publication of papers, investigating the official conduct of officers, or men in a public capacity, or where the matter published is proper for public information, the truth thereof may be given in evidence. And in all indictments for libels, the jury shall have right to determine the law and the facts, under the direction of the court, as in other cases.

SECTION 16. No subsidy, charge, impost, or duties ought to be established, fixed, laid or levied, under any pretext whatsoever, without the consent of the people, or their representatives in the legislature.

SECTION 17. Suits may be brought against the Republic in such manner, and in such cases as the legislature may by law direct.

SECTION 18. No person can, in any case, be subject to the law martial, or to any penalties or pains, by virtue of that law (except those employed in the army or navy, and except the militia in actual service) but by the authority of the legislature.

SECTION 19. In order to prevent those who are vested with authority, from becoming oppressors, the people have a right at such periods, and in such manner, as they shall establish by their frame of government, to cause their public officers to return to private life, and to fill up vacant places, by certain and regular elections and appointments.

SECTION 20. That all prisoners shall be bailable by sufficient sureties ; unless, for capital offences, when the proof is evident, or presumption great : and the privilege and benefit of the writ of *habeas corpus* shall be enjoyed in this Republic, in the most free, easy, cheap, expeditious and ample manner, and shall not be suspended by the legislature, except upon the most urgent and pressing occasions, and for a limited time, not exceeding twelve months.

ARTICLE II.

LEGISLATIVE POWERS.

	SEC
Legislature, to consist of two branches—style of enactments.....	1
House of Rep. number and qualification of members, term of service.....	2
Vacancies in the Legislature, how filled.....	3
Speaker and officers of the House, how elected—power of impeachment..	4
Senate, number and qualification of members—term of service.....	5
Impeachments, how tried—Judgment in such cases.....	6

Census, when taken—one Representative for every 10,000 inhabitants....	7
Each branch of the Legislature, shall be judge of the election and qualifications of its members—what shall be a quorum—may compel the attendance of absent members—may expel a member.....	8
Adjourn, neither house shall for more than two days without the consent of the other.....	9
Bill of resolutions, how passed—to be presented to the President for approval.....	10
Senators and Representatives, free from arrest—except &c.....	11

SECTION 1. That the Legislative power shall be vested in a Legislature of Liberia, and shall consist of two separate branches—a House of Representatives and a Senate, to be styled the Legislature of Liberia: each of which shall have a negative on the other, and the enacting style of their acts and laws shall be, "It is enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature assembled."

SECTION 2. The representatives shall be elected by, and for the inhabitants of the several counties of Liberia, and shall be apportioned among the several counties of Liberia, as follows: The county of Montserrado shall have four representatives, the county of Grand Bassa shall have three, and the county of Sinoe shall have one, and all counties hereafter which shall be admitted into the Republic shall have one representative, and for every ten thousand inhabitants one representative shall be added. No person shall be a representative who has not resided in the county two whole years immediately previous to his election and who shall not, when elected be an inhabitant of the county, and does not own real estate of not less value than one hundred and fifty dollars in the county in which he resides, and who shall not have attained the age of twenty-three years. The representatives shall be elected biennially, and shall serve two years from the time of their election.

SECTION 3. When a vacancy occurs in the representation of any county by death, resignation, or otherwise, it shall be filled by a new election.

SECTION 4. The House of Representatives shall elect their own Speaker and other officers; they shall also have the sole power of impeachment.

SECTION 5. The Senate shall consist of two members from Montserrado County, two from Bassa County, two from Sinoe County, and two from each county which may be hereafter incorporated into this Republic. No person shall be a Senator, who shall not have resided three whole years immediately previous to his election in the Republic of Liberia, and who shall not when elected, be an inhabitant of the county which he represents, and who does not own real estate of not less value than two hundred dollars in the county which he represents, and who shall not have attained the age of twenty-five years. The Senator for each county who shall have the highest number of votes shall retain his seat four years, and the one who shall have the next highest number of votes two years; and all who are after-

wards elected to fill their seats, shall remain in office four years.

SECTION 6. The Senate shall try all impeachments; the Senators being first sworn or solemnly affirmed to try the same impartially, and according to law; and no person shall be convicted but by the concurrence of two thirds of the Senators present. Judgment in such cases shall not extend beyond removal from office, and disqualification to hold an office in the Republic; but the party may be tried at law for the same offence.

When either the President or Vice President is to be tried, the Chief Justice shall preside.

SECTION 7. It shall be the duty of the Legislature, as soon as conveniently may be, after the adoption of this Constitution, and once at least in every ten years afterwards, to cause a true census to be taken of each town, and county of the Republic of Liberia; and a representative shall be allowed every town, having a population of ten thousand inhabitants; and for every additional ten thousand in the counties after the first census, one representative shall be added to that county, until the number of representatives shall amount to thirty; and afterwards one representative shall be added for every thirty thousand.

SECTION 8. Each branch of the Legislature shall be judge of the election returns and qualifications of its own members. A majority of each shall be necessary to transact business, but a less number may adjourn from day to day and compel the attendance of absent members. Each house may adopt its own rules of proceedings, enforce order, and with the concurrence of two thirds, may expel a member.

SECTION 9. Neither house shall adjourn for more than two days without the consent of the other; and both houses shall always sit in the same town.

SECTION 10. Every bill or resolution which shall have passed both branches of the Legislature, shall, before it becomes a law, be laid before the President for his approval; if he approves, he shall sign it, if not, he shall return it to the Legislature with his objections—if the Legislature shall afterwards pass the bill or resolution by a vote of two thirds in each branch, it shall become a law. If the President shall neglect to return such bill or resolution to the Legislature with his objections for five days after the same shall have been so laid before him—the Legislature remaining in session during that time, such neglect shall be equivalent to his signature.

SECTION 11. The Senators and Representatives shall receive from the Republic a compensation for their services to be ascertained by law; and shall be privileged from arrest except for treason, felony, or breach of the peace while attending at, going to, or returning from the session of the Legislature.

ARTICLE III.

EXECUTIVE POWER.

President of the Republic, how elected; term of office; Commander-in-chief; power to make treaties; nominate, appoint and commission public officers; fill vacancies in certain offices; inform the Legislature of the condition of the Republic; recommend public measures; remit forfeitures and grant pardons—Except in cases of impeachments;—may require information from public officers; may convene the Legislature; and may adjourn the two houses.....	1
Vice President, elected in the same manner, and for the same term as the President; qualifications the same; President of the Senate casting vote; President of the Republic in case of the President; Legislature may provide for the case of removal	2
Secretary of State, keep the records of the State and papers of the Legislature; shall attend upon the President or Legislature when required	3
Secretary of the Treasury, give bonds to the acceptance of the Legislature; exhibit accounts when required; monies drawn from the Treasury by warrant in consequence of appropriation.....	4
Certain public officers, their term of office; may be removed within that time; what officers hold their office at the pleasure of the President..	5
Removal from office for official misconduct; how and by whom.....	6
Qualifications of the President.....	7
Compensation of the President: shall neither be increased nor diminished &c oath or affirmation before entering on the execution of his office	8

SECTION 1. The Supreme Executive Power shall be vested in a President, who shall be elected by the people, and shall hold his office for the term of Two Years. He shall be Commander-in-Chief of the army and navy. He shall in the recess of the Legislature, have power to call out the militia or any portion thereof, into actual service in defence of the Republic. He shall have power to make treaties, provided the Senate concur therein, by a vote of two thirds of the senators present. He shall nominate, and with the advice and consent of the senate, appoint and commission all Ambassadors and other public Ministers and Consuls, Secretaries of State, of War, of the Navy, and of the Treasury, Attorney General, all Judges of Courts Sheriffs, Coroners, Marshalls, Justices of the Peace, Clerks of Courts, Registers, Notaries public, and all other officers of State civil and military, whose appointment may not be otherwise provided for by the Constitution, or by standing laws. And in the recess of the Senate, he may fill any vacancies in those offices, until the next session of the Senate. He shall receive all Ambassadors and other public ministers. He shall take care that the laws be faithfully executed:—he shall inform the Legislature from time to time, of the condition of the Republic, and recommend any public measures for their adoption, which he may think expedient. He may, after conviction, remit any public forfeitures and penalties, and grant reprieves and pardons for public offences except in cases of impeachment. He may require information and advice from any public officer.

touching matters pertaining to his office. He may on extraordinary occasions, convene the Legislature, and may adjourn the two houses whenever they cannot agree as to the time of adjournment.

SECTION 2. There shall be a Vice President who shall be elected in the same manner, and for the same term as that of the President, and whose qualifications shall be the same; He shall be President of the Senate, and give the casting vote when the house is equally divided on any subject. And in case of the removal of the President from office, or his death, resignation, or inability to discharge the powers and duties of the said office; the same shall devolve on the Vice President; and the Legislature may by law provide for the cases of removal, death, resignation or inability, both of the President, and Vice President, declaring what officer shall then act as President, and such officer shall act accordingly until the disability be removed, or a President shall be elected.

SECTION 3. The Secretary of State shall keep the records of the State, and all the records and papers of the Legislative body, and all other public records and documents, not belonging to any other department, and shall lay the same when required, before the President or Legislature. He shall attend upon them when required and perform such other duties as may be enjoined by law.

SECTION 4. The Secretary of the Treasury or other persons who may by law, be charged with custody of the public monies shall before he receive such monies, give bonds to the State with sufficient sureties, to the acceptance of the Legislature, for the faithful discharge of his trust. He shall exhibit a true account of such monies when required by the President or Legislature, and no monies shall be drawn from the Treasury, but by warrant from the President, in consequence of appropriation made by law.

SECTION 5. All Ambassadors and other public Ministers, and Consuls, the Secretary of State, of War, of the Treasury and of the Navy, the Attorney General, and Post Master General, shall hold their office during the pleasure of the President. All Justices of the peace, Sheriffs, Coroners, Marshalls, Clerks of court, Registers, and notaries public, shall hold their offices for the term of two years from the date of their respective commissions; but may be removed from office within that time by the President at his pleasure; and all other officers whose term of office may not be otherwise limited by law, shall hold their offices during the pleasure of the President.

SECTION 3. Every civil officer may be removed from office by impeachment, for official misconduct. Every such officer may also be removed, by the President, upon the address of both branches of the Legislature, stating their particular reason for his removal.

SECTION 7. No person shall be eligible to the office of President who has not been a citizen of this Republic for at least five years, and who shall not have attained the age of thirty five years; and who is not possessed of unencumbered real estate, of the value of six hundred dollars.

SECTION 8. The President shall at stated times receive for his services, compensation which shall neither be increased nor diminished during the period for which he shall have been elected; And before he enters on the execution of his office, he shall take the following oath or affirmation.

I do solemnly swear (or affirm) that I will faithfully execute the office of President of the Republic of Liberia, and will, to the best of my ability, preserve, protect and defend the Constitution and enforce the laws of the Republic of Liberia.

ARTICLE IV.

JUDICIAL DEPARTMENT.

Judicial Power, how vested—Judges hold their office during good behaviour—how removed—salaries may be increased but not diminished—shall not receive other perquisites or emoluments.....	1
Supreme Court, original and appellate jurisdiction—what cases.....	2

SECTION 1. The Judicial power of this Republic shall be vested in our Supreme Court, and such subordinate Courts as the Legislature may from time to time establish. The Judges of the Supreme Court, and all other Judges of Courts, shall hold their office during good behaviour; but may be removed by the President, on the address of two thirds of both houses for that purpose, or by impeachment and conviction thereon. The Judges shall have salaries established by law, which may be increased, but not diminished during their continuance in office. They shall not receive other perquisites or emoluments whatever from parties or others, on account of any duty required of them.

SECTION 2. The Supreme Court shall have original jurisdiction in all cases affecting ambassadors, or other public ministers and consuls, and those to which a County shall be a party. In all other cases the Supreme Court shall have appellate jurisdiction, both as to law and fact, with such exceptions, and under such regulations as the Legislature shall from time to time make.

ARTICLE V.

MISCELLANEOUS PROVISION.

Commonwealth, laws of to remain in force until repealed by the Legislature.....	1
Officers under the Commonwealth to hold offices until others shall be appointed and commissioned in their stead.....	2
Towns and municipal corporation under the laws of the Commonwealth to retain their existing organization and authority..	3
First election of officers under this Constitution; how elected, returns made and notice given.....	4
Elections, where held—to whom returns of votes shall be made—organization of the Legislature; votes for President, by whom counted and declared—failing a majority of votes, for any one candidates, the Senators and Representatives, in Convention, shall elect a President.....	5
Meeting of the Legislature, at least once in every year.....	6
Officers required to subscribe on oath or or affirmation. by whom the oath or affirmation shall be administered &c, &c.....	7
A majority of the vote required for the election of certain officers.....	8
Officers only created which the present circumstances require	9
The right of certain property secured to the wife, which can only be alienated by her.....	10
The widow's share of insolvent estates.....	11
None but a citizen is entitled to hold real estate except, &c, &c.....	12
None but persons of color shall be admitted to citizenship.....	13
Private individuals shall not purchase land from the aborigines.....	14
The improvement of the native tribes; the appointment of suitable person to visit and instruct them; the Legislature to make appropriation for that purpose.....	15
The existing regulations of the Am. Col. Society relative to immigrants to remain the same until regulated by compact &c., &c ...	16
This Constitution may be altered; how and when.....	17

SECTION 1. All laws now in force, in the Commonwealth of Liberia and not repugnant to the Constitution, shall be in force as the laws of the Republic of Liberia, until they shall be repealed by the Legislature.

SECTION 2. All judges, magistrates, and other officers now concerned in the administration of justice, in the commonwealth of Liberia, and all other existing civil and military officers therein, shall continue to hold and discharge the duties of their respective offices, in the name and by the authority of the Republic, until others shall be appointed and commissioned in their stead, pursuant to the Constitution.

SECTION 3. All towns and municipal corporations within the Republic, constituted under the laws of the Commonwealth of Liberia shall retain their existing organizations and privileges, and the respective officers thereof shall remain in office, and act under the authority of this Republic.

lic, in the same manner and with the like powers as they now possess under the laws of said Commonwealth.

Section 4. The first election of President, Vice President, Senators and Representatives, shall be held on the first Tuesday in October in the Year of our Lord Eighteen Hundred and Forty Seven, in the same manner as the election of members of the Council are held in the Commonwealth of Liberia, and the votes shall be certified and returned to the Colonial Secretary, and the result of the election shall be ascertained, posted and notified by him, as is now by law provided, in case of such members of Council.

Section 5. All other elections of President, Vice President, Senators and Representatives, shall be held in the representative towns on the first Tuesday in May in every two years; to be held and regulated in such manner as the Legislature may by law prescribe. The returns of votes shall be made to the Secretary of State, who shall open the same and forthwith issue notices of the election to the persons apparently so elected, Senators and Representatives: and all such returns shall be by him laid before the Legislature at its next ensuing session, together with a list of the names of the persons who appear by such returns to have been duly elected Senators and Representatives; and the persons appearing by said returns to be duly elected, shall proceed to organize themselves accordingly as the Senate and House of Representatives. The votes for President shall be sorted, counted and declared by the House of Representatives. And if no person shall appear to have a majority of such votes the Senators and Representatives present, shall in Convention, by joint ballot elect from among the persons having the three highest number of votes, a person to act as President for the ensuing term.

SECTION 6. The Legislature shall assemble once at least in every year, and such meeting shall be on the first Monday in January unless a different day shall be appointed by law.

SECTION 7. Every Legislator and other officer appointed under this constitution shall, before he enters upon the duties of his office, take and subscribe a solemn oath or affirmation to support the constitution of this Republic, and faithfully and impartially to discharge the duties of such office. The presiding officer of the Senate shall administer such oath or affirmation to the President, in Convention of both houses; and the President shall administer the same to the Vice President, to the Senators, and to the Representatives in like manner. When the President is unable to attend, the Chief Justice of the Supreme Court may administer the oath or affirmation to him at any place, and also to the Vice President, Senators and Representatives, in Convention. Other officers may take such oath or affirmation before the President, Chief Justice, or any other person who may be designated by law.

SECTION 8. All elections of public officers shall be made by a majority of the votes, except in cases otherwise regulated by the Constitution or by law.

SECTION 9. Offices created by this Constitution which the present circumstances of the Republic do not require that they shall be filled, shall not be filled until the Legislature shall deem it necessary.

SECTION 10. The property of which a woman may be possessed at the time of her marriage, and also that of which she may afterwards become possessed, otherwise than by her husband, shall not be held responsible for his debts; whether contracted before or after marriage.

Nor shall the property thus intended to be secured to the woman be alienated otherwise than by her free and voluntary consent, and such alienation may be made by her either by sale, devise or otherwise.

SECTION 11. In all cases in which estates are insolvent, the widow shall be entitled to one third of the real estate during her natural life, and to one third of the personal estate, which she shall hold in her own right subject to alienation by her, by devise or otherwise.

SECTION 12. No person shall be entitled to hold real estate in this Republic, unless he be a citizen of the same. Nevertheless this article shall not be construed to apply to Colonization, Missionary, Educational, or other benevolent institutions, so long as the property or estate is applied to its legitimate purpose.

SECTION 13. The great object of forming these Colonies, being to provide a home for the dispersed and oppressed children of Africa, and to regenerate and enlighten this benighted continent, None but persons of color shall be admitted to citizenship in this Republic.

SECTION 14. The purchase of any land by any citizen or citizens from the aborigines of this country for his or their own use, or for the benefit of others on estate or estates in fee simple shall be considered null and void to all intents and purposes.

SECTION 15. The improvement of the native tribes and their advancement in the arts of agriculture and husbandry, being a cherished object of this government, it shall be the duty of the President to appoint in each county some discreet person whose duty it shall be to make regular and periodical tours through the country for the purpose of calling the attention of the natives to those wholesome branches of industry, and of instructing them in the same, and the Legislature shall, as soon as it can conveniently be done, make provisions for these purposes by the appropriation of money.

SECTION 16. The existing regulations, of the American Colonization Society, in the Commonwealth, relative to emigrants, shall remain the same in the Republic until regulated by compact between the Society and the Republic; nevertheless, the

first step meaning of compact = agreement

Legislature, shall make no law prohibiting emigration. And it shall be among the first duties of the Legislature, to take measures to arrange the future relations between the American Colonization Society and this Republic.

SECTION 17. This Constitution may be altered whenever two thirds of both branches of the Legislature, shall deem it necessary; in which case the alterations or amendments, shall first be considered and approved by the Legislature by the concurrence of two thirds of the members of each branch and afterwards by them submitted to the people, and adopted by two thirds of all the electors at the next biennial meeting for the election of Senators, and Representatives.

Done in CONVENTION, at Monrovia, in the county of Montserrado by the unanimous consent of the people of the Commonwealth of Liberia, this twenty-sixth day of July in the Year of Our Lord One Thousand Eight Hundred and Forty-seven, and of the REPUBLIC the first. In witness whereof we have hereto set our names.

MONTSERRADO COUNTY.

S. BENEDICT, *President*,
H. TEAGE,
ELIJAH JOHNSON,

J. N. LEWIS,
BEVERLY R. WILSON,
J. B. GRIFON,

GRAND BASSA COUNTY.

JOHN DAY,
AMOS HERRING,

A. W. GARDNER,
EPHRAIM TITLER,

COUNTY OF SINOE.

R. E. MURRAY.

JACOB W. PROUT, *Secretary to the Convention*.

RESOLUTIONS RECOMMENDING AN AMENDMENT TO THE CONSTITUTION.

Whereas in the opinion of the Legislature, Sinoe ought to have an equal ratio of representation with Grand Bassa County, the number of inhabitants being equal or nearly so;—and whereas in the opinion of the Legislature, the counties should be as far as practicable represented equally;

Therefore it is Resolved by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled, —and passed by the concurrence of two thirds of the members of each branch of the Legislature,—

That the 2nd section of the 2nd article of the Constitution be so altered and amended as to read that the county of Sinou shall have three representatives.

It is further Resolved that the alteration and amendment be submitted to the People at the biennial election agreeably to the provisions of the 17th section of the 5th article of the Constitution, and the ballot shall be written "adoption or no adoption."

ADDRESS TO THE PEOPLE OF THE REPUBLIC.

MONROVIA, JULY 29TH, 1847.

FELLOW CITIZENS:—

Having finished our labors, we now have the honor of submitting to your consideration, through the Governor, that Constitution which in our opinion will best suit the peculiar circumstances of this infant Republic. That our labors will meet the full approbation of every individual citizen, is scarcely to be expected: we trust, however, that a large majority of our fellow citizens, will approve our doings, and adopt the constitution herewith submitted.

In our deliberations, we endeavored to keep our minds steadily fixed upon the great objects of civil government, and have done what we conceived to be best for the general interest of this rising Republic—We endeavored carefully to arrange every subject that might possibly arise, calculated to disturb in the least the friendly feeling which now so happily subsists between the different counties of this Republic. We felt deeply the importance and magnitude of the work submitted to our hands, and have done the very best we could in order to afford general satisfaction.

In view of the peculiarity of our circumstances, the new position we have assumed is indeed an important one, and the government now calls to its support every citizen who is at all interested or concerned for the safety, and future prosperity of this our only home.

Knowing, however, that our cause is just, we feel encouraged, and believe that under God, by a steady perseverance, we shall fully succeed.

In publishing to the world our *Independence*, we have thought proper to accompany that document with a declaration of the causes which induced us to leave the land of our nativity and to form settlements on this coast: and also an appeal to the sympathies of all civilized nations soliciting their aid and protec-

tion, and especially that they would, notwithstanding our peculiar circumstances, specially recognize our *Independence*.

And that the flag of this Republic at no distant day may be seen floating upon every breeze, and in every land respected.

It is our earnest desire that the affairs of this government may be so conducted as to merit the approbation of all christendom, and restore to Africa her long lost glory, and that Liberia under the guidance of heaven, may continue a happy asylum for our long oppressed race, and a blessing to the benighted and degraded natives of this vast peninsula. To secure which is our ardent wish and prayer.

With great respect, we have the honor of being your obedient and humble servants.

By the unanimous order)
of the Convention.)

SAMUEL BENEDICT, *President*.

BOOK II.

OF LEGAL PRINCIPLES AND RULES.

—o—

OF INJURIES.

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature assembled :—

That the following Principles and Rules shall have the force of Law in the Republic of Liberia.

Sec. 1. An injury is an unlawful damage done to another; and is the proper subject of an action. It does not generally, depend upon the intention of the wrong doer, whether the act is an injury or not. A bad design is not necessary to the existence of an injury, although it is to the existence of a crime. The object of actions for injuries is redress to the injured party, not, like that of prosecutions for crime, to punish the guilty.

2. Every act which is prejudicial to the interest of another is an injury, unless it be warranted by some law.

3. An omission is not generally an injury; but where a party is bound by contract, official duty, or law, to do an act, and omits to do it, or where, in consequence of an omission, an act of the same party, otherwise harmless, becomes prejudicial to the interest of another, such omission is an injury, for which an action will lie.

4. Every person is liable to an action for all injuries committed by himself or his wife.

5. Every person is liable to an action for all damages which arise from the negligence, carelessness or unskillfulness of himself or his wife at any time, of his agents or servants while employed in his business. And also for all damages committed by any animal belonging to him, or un-

der his care or charge; provided the damages be such as such animal was likely to commit, either from the general habits of his species, or from any vicious habits of the particular animal, known to the owner or the person intended to be charged. All such damages are injuries.

6. Every man is bound to use his own property so as not to damage his neighbour. If any person makes use of his own property in a manner prejudicial to his neighbors' interest, it is an injury.

7. Injuries either to the person, reputation, or domestic relations of another, are called personal injuries. The breach of a promise to marry, is a personal injury.

8. Domestic relations are those of husband and wife, parent and child, guardian and ward, master and servant.

9. Personal injuries die with the person, and no action for them can be maintained by or against representatives, or trustees. A man who has assigned his property for the benefit of his creditors is still entitled to maintain, and liable to, actions for personal injuries.

10. Omitting to do an act which a man has contracted to do, or doing an act which a man has contracted not to do, is an injury by means of the violation of a contract.

11. A contract is an agreement entered into by the assent of two or more minds, by which one party undertakes to give some valuable thing, or to do or omit, some act, in consideration that the other party shall give, or has given, some valuable thing, or shall do, or omit, or has done, or omitted, some act. The consideration of a court may be any thing which is troublesome or prejudicial in any degree to the party, who performs or suffers it, beneficial in any degree to the other party; an agreement without such a consideration is not a contract but only a promise. The violation of a promise made without a consideration, although most frequently an immoral act, is not an injury for which an action at law will lie.

12. If one party to a contract is guilty of fraud, which deprives the other party of the whole, or most important part, of the benefit of the contract,—or neglects or refuses to perform the whole of his part of the contract or so nearly the whole thereof, that what he performs is only nominally beneficial to the other party, it is not an injury for such other party to refuse to comply with his part of such contract, and no action will lie against him for so doing. But if the fraud, refusal, or neglect to perform, still leave a material and beneficial part of the contract which has been performed by the fraudulent, negligent or refusing party, an action may be maintained by such party, for the refusal or neglect of the other party, to perform his part of such contract. But in such action the fraud, neglect, refusal of the plaintiff to perform any part of the contract, may be shown, to diminish the

amount of debt or damages to be recovered. Nevertheless, where the parties have stipulated that things shall be done in a particular order, a plaintiff must show that he has performed the act first to be performed by him, before he can recover damages for the non-performance of a subsequent act.

13. No action can grow out of an immoral or illegal contract. The violation of such a contract is not an injury.

14. All contracts having any connection with the slave trade, however remote such connection may be, provided the parties to the contract are aware of its existence, are, with the exception in the next section, both immoral and illegal, and it is no injury to violate such a contract.

15. Contracts tending to the suppression of the slave trade are legal and valid.

16. All bets, and wagers, and contracts for the payment of money, or the delivery or transfer of any valuable thing upon any contingency or event, or upon the decision of any question, dispute or controversy, are illegal except contracts made and intended, by way of insurance or indemnity, from an actual loss or damage, sustained by means of such event, contingency, or decision. All contracts to pay money, or deliver, or transfer any valuable thing which has been won or lost at any game of chance or skill, to pay, or deliver, or transfer money or other thing in lieu of any money or other things, so won or lost, and in general, all wagering and gaming contracts are also illegal. All contracts to indemnify any person from the consequences of any violation or omission of official duty or other breach of the law are also illegal. The violation of any of the contracts mentioned and declared illegal in this section is not an injury.

17. Contracts to indemnify a public officer from the consequences of a mistake in the execution of a writ directed to him, are not within the meaning of the last section, and the violation of such a contract is an injury.

18. Injuries to property, other than violations of contract may be committed by destroying it, by taking or detaining it from the possession of the owner, by any act, or unlawful omission, which may diminish its value, or lessen its security, or lastly, by using it without consent of the proprietor.

19. The person in possession of an property, of any description, is to be considered as the owner thereof, within the meaning of the last section, as against all but the true owner. The person in possession of any property, may maintain an action for any injury done to it or to him in respect thereof, unless the defendant can show that he has a better title to such property than the possessors thereof.

20. Injuries to persons may be committed by striking, or

attempting to strike, by confining, imprisoning or detaining a person.

21. Any of the acts mentioned in the last section may be justified if done in self defence, or in the exercise of the lawful authority of a parent over a child; a guardian over a ward, a master or mistress over an apprentice, a public officer over a person in his custody for the purpose of being compelled to work, or of any other lawful authority: provided that the degree of violence used, is not more than a jury shall deem proper and reasonable under all the circumstances of the case.

22. Injuries to the reputation may be committed by defamation, or by commencing a malicious action, suit, or prosecution, or other proceeding.

23. Defamation is an injury offered to the reputation of another, by an allegation which is not true. Defamation may be made verbally, or by signs which is called slander, or by writing or painting which is called libel.

24. The injury of defamation is committed when the words, signs or figures used convey the idea either—1st: That the person to whom they refer has been guilty of some crime or offence punishable by law. 2nd: That he or she has done some act, or been guilty of some omission, which, although not a crime is of a nature to make people avoid social intercourse with him or her, or lessen their confidence in his or her integrity. 3rd: That he or she has some moral vice, or bodily or mental defect or disease, that would cause his or her society to be generally shunned. 4th. That his or her general character is such as to make persons avoid his or her society, or lessen their confidence in his or her integrity.

25. It is also the injury of defamation to make use of words or representations, the tendency of which, is to bring upon the person to whom they refer, the hatred ridicule or contempt of the public, or to deprive him of the benefit of social intercourse.

26. It is defamation and an injury to assert, or make representations importing that the party referred to wants the necessary talents or knowledge, or is otherwise incompetent to perform or conduct the office, business, profession, or trade in which he is engaged, or is dishonest in his conduct therein.

27. It is not an injury to make true statements of facts, or express any opinion, whether such opinion, be correct or not as to the qualifications of any person for any public office, with an honest intention to give information to those who have the power of appointing or electing to such office. Nor is it an injury to make true statements of facts or express the opinion which he who gives it entertains, whether correct or not relative to the integrity or other qualifications to perform the duties of any station, profession, or trade, when it is honestly due by way of advice to any person who has asked it or to whom it

was a duty arising either from law or social connection, or from humanity to give such advice. Nor is it an injury to make or publish any criticism or examination of any works of literature sciences, or art, or to express an opinion whether correct or not, on the qualifications, merits, or compliance of the author of such works in relation thereto, although such criticism examination or opinion, should produce damage to the party to whom it refers, provided such criticism or expression, be not intended to cover a malicious design to injure the party to whom it refers. All statements of facts made under the circumstances mentioned in this section, shall be taken to be true, until the contrary appears, or malice is shown.

28. All those who make, publish, or circulate a libel are guilty of the injury of defamation.

29. He is the maker of a libel who originally contrived it, and either executed it himself, or caused it to be done by others. He is the publisher who executes the mechanical labour, who writes, paints, copies, engraves, or prints it. He circulates a libel who knowing the contents, sells, gives, distributes, reads it to others or exhibits it.

30. He is not guilty of an injury who only gives or lends a book or paper containing a libel, or reads it to another after it is already in general circulation, unless some circumstances are shown which prove that it was done with a design to injury, unless some special damages shall have arisen from his act.

31. No action can be maintained for defamation on account of any thing said or written, whether as judge, party jurymen witness or agent for a party, in a court of justice, or in the course of legal proceeding or in any investigation of evidence preparatory to a legal proceeding: provided, that what is said or written, be relevant to the proceedings, investigation, or matter in hand or preparing for, and is not introduced for the sole purpose of injuring the party to whom it refers.

32. An answer justifying a former libel of slander as true, which has been withdrawn, or on which no question of fact shall have been taken, is not within the protection of the last section, and may be deemed an injury. But as an injury, it shall be considered only the act of the party in the cause, and not of any agent of his or other person.

33. The word "verbally" used in the definition of slander, means the utterance of words by the voice, and the words by "signs" comprehend every motion of the fingers or other gestures that is used and understood to communicate ideas.

34. The words "writing" in the definition of a libel, and the words "unites" in the twenty ninth section comprehend not only manuscript, but printing, engraving, electing, lithography, or any other means now known, or which may hereafter be discovered or invented to make words visible. The words "painting" and "paint" include not only the art, so called, but drawing, engraving, etching lithography, or representing fig-

ures in any way. It also comprehends hieroglyphics, or the representation of words by objects which they signify.

35. It is slander and an injury to repeat the contents of any libel, or the words or substances of any slander, unless in case otherwise provided for in the thirteenth section, or unless the defendant state at the time of doing so, the name of the person from whom he heard the slander, or unless the defendant show that he was not actuated in so doing by a desire to injure the person defamed. But if special damages can be shown to have arisen from said repetition; it shall be deemed an injury, notwithstanding any provisions of this section.

36. Every false statement is an injury and defamation, if any special damage arise therefrom.

37. Special damage is any loss or inconvenience accruing to the plaintiff, which can be specially traced to the conduct of the defendant. When special damage is relied upon, it must be stated in the complaint and proven.

38. A malicious action, suit, prosecution, or other legal proceeding, is one brought against a person for a matter of which he hath been before lawfully acquitted, or finally discharged, or one totally without any reasonable cause or foundation. The essential facts to sustain an action for malicious action, suit, prosecution, or proceeding, are absence of reasonable cause for original action, suit, prosecution, or proceeding, the termination thereof in favor of the party against whom it was brought, and an actual damage of any sort sustained by such party. Although the action for a malicious action, suit, prosecution, or proceeding is classed among actions for injuries to reputation, any species of damage is sufficient to sustain it. Although called malicious, it is not necessary to prove an actual malicious intention; the malice may be inferred from the absence of reasonable cause for the proceeding.

39. There is no injury to reputation which is not provided for in the preceding sections, commencing with the twenty second, and terminating with the last preceding one.

40. Defamation of title is not an injury to reputation but to property. It consists in falsely alleging that a person has no title or only a defective title to his property: it is only an injury when special damage, as defined in the thirty seventh section, can be shown to have followed.

41. Injuries to the domestic relations may be committed by adultery, by the seduction of a wife or daughter, enticing or taking away, detaining or confining the wife, child, ward, or servant, of any person, or any idiot or insane person from his or her legally appointed trustee or guardian; by harboring or assisting any person sustaining the relation of wife, child, ward, or servant, who has unlawfully left the protection or service of his or her husband, parent, guardian, master or mistress, or by beating or otherwise injuring

the wife of any person, or by beating or otherwise injuring any person sustaining any of the domestic relations, in such a manner as to incapacitate him or her from performing the duties of such relation.

42. Every person is warranted by law, in employing himself and his property, in any honest business, occupation, or pursuit ; although his so doing may be prejudicial to the interest of others, by way of rivalry or competition. Any prejudice or damage sustained by any person in consequence of fair competition in business is a damage, but not an injury.

43. No man is bound to alter the natural condition of his property for the benefit or accommodation of his neighbour, or to accommodate his improvements to those of his neighbour. Neither an omission to do so, or any damage arising from such omission can be regarded as an injury. Provided nothing in this section shall abrogate any part of "An Act Regulating Towns and villages."

44. An infant is capable of committing, and responsible for, an injury, and consequently responsible for violating a contract made by those whom he represents, or under whom he claims, and which is binding on him as a representative or assignee, or on his property, although he is not capable of making a contract.

45. Every person under twenty one years of age is an infant.

46. A married woman is capable of committing an injury, and for every such injury her husband is responsible in an action against himself, although it may consist in the violation of a contract binding on such married woman, as a representative or assignee, or on her property, or made by herself before marriage. A married woman cannot make a contract to bind herself, although she may contract as her husband's agent ; he will be bound by every such contract, and the agency may be directly proven or inferred from circumstances and the usages of society. A wife is presumed to be her husband's Agent, in providing for his family, and clothing herself and his female children, and males under the age of fifteen ; but this presumption may be contradicted by proof to the contrary.

47. An idiot or insane person is capable of doing an injury, though, not of making a contract, nor committing a crime and is responsible for an injury though not for a crime : he may be responsible for the violation of a contract made by another person whom he may represent in the same manner as an infant under similar circumstances, and not otherwise. He shall be also liable for a violation of a contract made by himself before his insanity.

48. No judicial act, done by a judge or other judicial officer, within his jurisdiction or authority, or any omission to do such act, can ever be deemed an injury ; although it

the judge or officer act corruptly or maliciously, or wilfully refuse or neglect to do his duty, it is a crime. This section is to be considered as controlled by the provision of the twenty-third chapter of the second title, on the subject of writs of *habeas corpus*.

49. No ministerial officer is guilty of an injury in executing any writ directed to him by any authority or tribunal, having jurisdiction over the place where the writ is executed, and having authority to issue similar writs. If the writ shall have been improperly obtained, or the court or other tribunal has exceeded the precise limits of its jurisdiction, a remedy may be had against the person who procured the issuing of the writ.

50. A ministerial officer who does any act under or by colour of any writ which such writ does not authorize, is guilty of an injury, if his act produce damage to any person.

51. The object of actions for the redress of injuries, being the indemnification of the injured, and not the punishment of the injurer, it follows that the measure of damage in such actions is the actual amount of loss or inconvenience sustained by the plaintiff, without any reference to the degree of misconduct of which the other party may have been guilty. The only exceptions to this rule are those contained in the next section.

52. Adultery, the seduction of a wife or daughter, illegally taking away or harboring a wife or child, ward or apprentice under twenty one years old, or enticing an idiot or insane person from his or her legally appointed trustee or guardian; the breach of a contract, engagement, or promise to marry; injuries to the reputation for which an action will lie without alleging and proving special damage, and the injuries for which remedies are given by the twenty-third chapter of the second title, are injuries of a peculiar nature, and partake of a criminal character. Actions for the above enumerated injuries partake of the nature of criminal prosecutions. They are exceptions to the rule for the measure of damages as laid down in the last section, and a jury in estimating damages in such cases, may take into consideration the misconduct of the defendant, and increase the damages at their discretion, for the purpose of punishing him. Other personal injuries are not exceptions to the rule in the last section.

53. In every case of an injury, the condition of the defendant is to be preferred; that is, the facts must be proved by the plaintiff. Where the right and wrong are equal, the condition of the defendant or the party in possession of the thing in dispute, is to be preferred.

54. The enumeration of particular injuries, except those to reputation in some of the preceding sections, shall not

be construed to exclude from the class of injuries, any particular case not enumerated, which amounts to an injury agreeably to the principles of the first six sections of the tenth section, which contain general principles, the others are designed to explain, apply or restrain.

But they are only to be restrained by express words, not by mere omissions.

55. All the provisions of this title are to be considered as annexed to, incorporated in, and controlling all the provisions of the second title not those contained in the twenty-third chapter.

TITLE II,—OF REMEDIES.

—o—

CHAPTER, I.

OF ACTIONS.

1. An action is the mode of proceeding to obtain redress of an injury by means of a court of justice.

2. The party who seeks redress in an action, is called the plaintiff. the party against whom the action is brought is called the defendant.

3. Actions are divided into three general classes,—where the injury for which redress is sought is a breach of contract, the action is said to be an action growing out of contract; where it is an injury of any other description, the action is said to grow out of a wrong. The third class, consists of actions growing out of judgments in former actions.

4. Actions growing out of contracts, are subdivided into those in which a specific performance of a contract is sought,—and those which are intended to recover damages for the non-performance of the contract.

5. There are three actions growing out of contract, in which the specific performance of a contract is sought,—debt, —specific performance of contracts, other than for the payment of money,—and injunction.

6. An action of debt is an action to enforce the payment of a sum of money, which the defendant has contracted to pay to the plaintiff.

7. An action for the specific performance of a contract, other than for the payment of money, is an action, in which it is sought, to compel a defendant to do any act other than

the payment of money, in pursuance of a contract into which he has entered. It may be briefly called an action of specific performance.

8. An action of injunction, is an action in which the plaintiff seeks to compel the defendant, to permit matters to remain in the present state; either in pursuance of a contract or because of a right growing out of the general principles of law. It is classed with actions founded on contract as a matter of convenience although it is capable of being applied in cases, where the wrong is not, precisely, a breach of any contract.

9. An action to recover damages, for the breach of a contract is an action in which the plaintiff seeks to obtain from the defendant, a sum of money, as damages or compensation for the injury he has sustained by reason of the defendant's not performing some contract, into which he, or some person under whom he claims, or whom he represents, had entered. It may be briefly called an action of damages.

10. Whenever a person is bound under a penalty, that himself or any other person, shall do or omit any act and the obligation is violated, or whenever any person is bound in any sum of money, the obligation to be released or void, on omission or doing of any act by himself or any other person, in case of a breach of the contract or condition, an action of contract, shall be the proper remedy. In such action the plaintiff may recover the amount of the damages sustained by him in consequence of the act or omission complained of, and no more, even although the penalty or sum in which the party is bound, may exceed such amount of damages. Against a surety, or the principal party, if sued with the surety, the plaintiff can never recover more than the penalty or sum in which such surety was bound, but he may have a separate action against the principal, either of contract or damages, according to the circumstances, and recover the excess of his damages beyond the penalty.

11. There are three actions growing out of wrongs,—replevin—ejectment,—and the action to recover damages for a wrong.

12. Replevin is an action to recover the possession of movable property, wrongfully withheld by the defendant from the plaintiff.

13. Ejectment is an action to recover possession of real or immovable property, wrongfully withheld by the defendant from the plaintiff. A widow may recover her dower in ejectment.

14. The action to recover damage for a wrong, is an action in which the plaintiff seeks to obtain from the defendant a sum of money, as damages or compensation for the injury he has sustained, by reason of some act of the defendant. It may be briefly called an action of damages. It is the ac-

Action growing out of contract

tion which lies for every injury, for which there is no other remedy.

15. Besides the action growing out of contracts and wrongs, there is another action of a peculiar nature, growing out of a judgment in some former action. It is called an action of enforcement.

16. Enforcement is an action, in which the plaintiff seeks to have enforced, some judgment of the court formerly rendered, but which, from lapse of time, or change of parties, cannot be enforced by immediate execution.

17. Where the cause of action grows out of a contract and the plaintiff intends to proceed against several defendants upon the same contract, he must sue them all in one action, unless one or more of them, live out of the jurisdiction of the court. He is not obliged to join the representatives of deceased persons with living original parties. He may sue each of such representatives separately.

18. No action of ejectment, can be commenced more than twenty years after the cause of action has occurred; nor any action of enforcement more than twelve years after the rendition of the judgment upon which it is founded. Actions for the violation of written contracts, must be commenced within seven years; actions for personal injuries, within one year; and all other actions within three years after the cause of action has occurred, and not after. This section is to furnish no defence, unless expressly relied on in the defendant's answer. If either of the parties be absent from the Republic during any part of the time, or be under age, or insane during any part of the time, such part of the time shall not be reckoned, unless in the case of personal injuries committed without the limits of the Republic.

19. For every personal injury done to a married woman, or a woman who afterwards marries, her husband shall be entitled to an action, which shall survive to her, if he die before it be brought to a conclusion, and she may be made a party in his stead. For every personal injury done by a married woman or a woman, who afterwards marries, an action shall lie against her husband, which may be revived against her and she be made a party in his stead, if he die before it be brought to a conclusion. In either case, if the husband die before the action be brought the action may be brought by or against the surviving wife.

20. In every form of action, where the right or the wrong is equal, the condition of the defendant or person in possession of the thing in dispute, is to be preferred.

CHAPTER II.

OF THE MODE OF COMMENCING ACTIONS, AND BRINGING DEFENDANTS INTO COURT.

1. Actions are commenced, and defendants brought before the courts by means of writs.

2. A writ is a written or printed paper, authenticated by the seal of the court, and signature of the clerk, directed to the sheriff or other person, commanding him to do, or abstain from doing, some act.

3. All actions except injunctions and replevin, shall ordinarily be commenced by a writ of summons, directed to the sheriff, (except in Justices' court,) requiring him to summon the defendant or defendants, to appear at a day appointed, to answer the complaint of the plaintiff or plaintiffs, without specifying such complaints. The writ or summons shall also contain a clause requiring the sheriff to have the writ before the court, at the day appointed for the appearance of the defendant or defendants. It shall only be issued on the written direction of the party or his agent.

4. It shall be the duty of the sheriff to produce to the court the writ of summons, with his return endorsed thereon, either that he has summoned the person or persons directed in the writ of summons to be summoned, or that they cannot be found, as the fact may be. There may be different returns as to different persons named in the same writ.

5. If the sheriff return that the defendants, or any of them cannot be found, a writ of re-summons may be issued as to such defendant or defendants.

6. A writ of re-summons differs from a writ of summons only by the insertion therein, after the word, 'summon' of the words as you were before commanded.' It shall be returned as a writ of summons.

7. If the defendant, having been returned summoned on a writ of summons, shall not appear within four days after the time therein appointed for his appearance, or if after the return of a writ of re-summons the defendant shall not appear, within four days after the time therein appointed for his appearance, whatever the return may have been, it shall be the right of the plaintiffs, having first filed his or their complaint, unless the complaint be in ejectment, to move for a writ of attachment, which shall be granted as hereinafter provided.

8. A writ of attachment, is a writ directed to the sheriff commanding him, to attach the lands, goods, chattles, and credits of the defendants, to the value of a sum to be express-

ed in the attachment, and to have the writ before the court at a certain day.

9. The sum specified in any writ of attachment, shall not exceed the sum of one hundred dollars, unless in the cases hereinafter otherwise provided for.

10. The plaintiff having filed his complaint, and being entitled to move for an attachment under the provisions of the seventh section of this chapter, may—unless the complaint be in an action of damages, for an injury to the person, or reputation of the plaintiff or his wife, or for such other injury as cannot be conveniently estimated in money—make an affidavit or affirmation of the sum due to him or of the injury he has received, and of the damages he believes he has sustained; and in that case, the writ of attachment, shall direct the sheriff to attach property to an amount equal to the amount of the debt or damages so sworn to, and half as much more, so as to answer interest and cost, as well as the debt or damages.

11. If the complaint be in debt, and the plaintiff shall exhibit to the court, evidence, that any specific property, has been mortgaged or pledged as security for the debt, then the writ of attachment shall command the sheriff to attach the specified property so mortgaged or pledged, without regard to the value thereof. And such writ may issue without any previous writ of summons having been issued.

12. In all cases of actions of debt, or contract wherein a specific performance, is not sought to be compelled, and in all actions of damages, except those that are excepted in the tenth section of this chapter, the plaintiff may commence by filing his complaint, and the affidavit required in the said tenth section, with an addition to such affidavit, that he fears that the defendant or defendants, cannot be found to be summoned, or will not appear if summoned, and shall thereupon be entitled to an attachment.

13. In an action of enforcement, no affidavit or any previous writ shall be necessary to obtain an attachment, except in the case provided for in the fifteenth section. If the original judgment was an injunction or ejectment, the cost and as much more shall be regarded as the sum to be specified in the attachment.

14. All writs of attachment issued under the tenth, eleventh, twelfth, or thirteenth sections of this chapter, shall contain a clause requiring the sheriff to summon the defendant or defendants, as in a writ of summons.

15. In an action of enforcement, if the original judgment were in specific performance, the same rule as to the sum to be mentioned in the attachment, shall prevail, as in the case of a judgment in injunction or in ejectment, unless there be an affidavit of non-performance of the judgment, and of the extent of damages sustained by such non-performance.

16. It shall be the duty of the sheriff, immediately upon the receipt of any writ of attachment, to attach, seize, and take into his hands and possession, if necessary all the personal or movable property, of the defendant or defendants, named in the writ of attachment, which he shall find in his or her possession- or not in the possession of any other person; and also to attach, seize, or take possession if necessary, of the right, title and interest of the said defendant or defendants, in all fixed and immovable property. But if the writ of attachment refer to particular property, he is not to meddle with any other.

17. The necessity referred to in the last section, is the necessity of making up the value of the sum called for in the writ of attachment.

18. In order to ascertain the quantity of property which it may be necessary to attach or seize, it shall be the duty of the sheriff to cause all property so attached or seized, to be appraised and valued by two disinterested persons, upon their solemn affirmation to value the same to the best of their skill and ability.

19. It shall also be the duty of the sheriff to cause a list or schedule of all property so as aforesaid seized or taken, and of the appraisement and valuation thereof, to be made out and annexed to the writ of attachment, and to return the said writ attached as per-schedule.

20. If from the peculiar nature of any personal property belonging to the defendant or defendants, it shall be incapable of being taken into the hands and possession of the sheriff, he may nevertheless include it in his schedule, and shall give notice to all persons whose interest may require such notice, that he has done so. Courts may adopt such rules upon the subject, embraced in this section, as may from time to time appear proper, and may regulate such notice in the manner they may deem most just.

21. If there is not sufficient property, of the defendant or defendants, liable to be included in the schedule, to produce the amount required by writ of attachment; or if the plaintiff shall so direct, the sheriff may lay the attachment in the hands of any persons who may be indebted to the defendant or defendants, or any of them, or who may have the care, custody, or possession, of any property of such defendant or defendants, or any of them, by warning such person or persons that the property of such defendants is attached in his or their hands to such an amount, and summoning such person or persons to appear at court on the day appointed for the return of the writ of attachment, to show cause why the same should not be condemned in his or their hands, towards the payment of the debt or damages sought to be recovered. Provided, that the person or persons so warned and summoned, may deliver up to the sheriff all the property, of which he or they has or have the

care, custody or possession, as aforesaid ; whereupon the sheriff shall proceed as if he had found the same out of the possession of any person.

22. If the sheriff has proceeded to lay the attachment in the hands of any person or persons, he shall return the writ 'attached in the hands of——.' The person in whose hands the attachment is laid, shall be called 'the garnishee.' A plaintiff may himself be made a garnishee.

23. If the sheriff cannot find any property to attach, or any debtor or other person in possession of property to warn as garnishee, he shall return on the back of the writ, that 'the defendant has, or defendants have nothing which he can attach.'

24. Upon the return of any writ of attachment, the defendant or defendants may appear and give bail ; in which case the attachment shall be dissolved, except in the cases provided for in the next section ; or the defendant or garnishee, or both, may appear without bail, in which case judgment shall be suspended until the usual steps shall have been taken to bring the case to trial—the attachment standing as a security. But if neither defendant nor garnishee appear, there shall be a judgment by default against both, or against the defendant, if there is no garnishee. But there shall be no judgment by default, upon an attachment which has not been preceded by a summons, and which has been returned under the twenty-third section.

25. An attachment founded upon a mortgage or pledge, shall not be dissolved unless the defendant shall make oath that the debt is paid, or that the property taken under the attachment, is not that mortgaged or pledged.

26. When an attachment is dissolved the property taken under it, and all persons whatever affected by it, shall be put in the same situation as if it never had existed.

27. Upon the return of any writ of attachment, 'attached as per-schedule' or 'laid in hands,' if the defendant or garnishee, do not appear within four days, the plaintiff may have judgment by default, and an order that the sheriff shall sell the property taken under the attachment, if any, towards the payment of his debt or damages, when ascertained, according to law.

28. If the complaint be filed in an action of damages, for an injury to the person, or reputation of the plaintiff or his wife, or any other injury which cannot be exactly estimated in money, and the plaintiff be not satisfied with a writ of attachment to the amount of one hundred dollars, he may apply to the court, or any judge thereof, and exhibit such evidence of the injury, and of other matters connected with the subject, by his own oath or otherwise, as he may think proper, and the court or judge may direct such sum as may be proper, to be inserted in the writ of attachment ; or if the injury be a personal one, may, in the discretion of such court or judge, order the

issuing of a writ of arrest, even although the defendant be an infant under twenty-one years of age.

29. In any other case the plaintiff being in a condition to apply for a writ of attachment, and having made oath or affirmation, that he fears he shall not be able, by a writ of attachment to obtain security for his debt or damages, may apply to the court or any judge thereof, for a writ of arrest, which may be granted him in the discretion of such court or judge; but a writ of arrest against a defendant, as such, shall never issue as a matter of course, nor against an infant under twenty one years of age, married woman, idiot or insane person, unless under some special provision of law.

30. A writ of arrest, is a writ whereby the sheriff is commanded to arrest the body or bodies of the defendant or defendants, and in most cases to bring it or them before some judge or other person authorized to receive bail, to give security, to answer the complaint of the plaintiff in a sum to be named in the said writ, and to have the said writ before the court at a day to be named therein.

31. The sum to be named in the writ of arrest, for which security shall be taken, is to be always in the discretion of the court or judge awarding such writ.

32. Every writ of arrest against a defendant, in any action other than injunction, shall be accompanied by a copy of the plaintiff's complaints, attested by the clerk of the court, which it shall be the duty of the sheriff to deliver to the first person arrested by virtue of such writ.

33. Every writ of arrest against a defendant, in any action other than injunction, shall be accompanied by a writ of attachment; and if the defendant will point out to the sheriff sufficient property, liable to be attached as per-schedule, to cover the sum mentioned in the writ of attachment, which shall be the same mentioned in the writ of arrest, the sheriff shall not execute the writ of arrest; but as a reason for not so doing, shall return upon the writ of arrest, that he has executed the accompanying writ of attachment. The two writs shall be considered as commencing but one action.

34. It shall be the duty of the sheriff immediately on the receipt of a writ of arrest, to arrest every person whom he is thereby commanded to arrest, and to carry him before some person authorized to take bail, unless in the case provided for in the thirty third section of this chapter, and also, if required by the person before whom he is carried, to conduct him to prison, there to be detained until discharged by due course of law, and to make return to the court of what he has done in the matter. Writs of arrest may be continually renewed until the defendant or defendants is or are arrested.

35. In an action of specific performance, or of enforcement founded upon a judgment in specific performance, the

plaintiff being entitled to an attachment after a return of summons, or after two returns of 'not found' or in an action of enforcement without such return, may exhibit to the court or one of the judges thereof, such evidence of the contract and its circumstances, as he may think proper, by his own affidavit or otherwise, and the court or judge may thereupon order a writ of attachment to issue directing the sheriff to attach any specific property to which it may appear to such court or judge that the plaintiff is entitled under the contract, specific performance of which is sought to be compelled, and the property taken under such attachment, shall, whenever a judgment by default or otherwise is rendered in the cause, in favor of the plaintiff, be delivered to the plaintiff.

36. In ejectment there shall be no writ of attachment or of arrest, nor any bail required, but on a return of a writ of summons, the plaintiff, having filed his complaint if the defendant do not appear may cause a copy thereof, together with a copy of the writ of re-summons, to be set upon the property claimed, ten days before the return day of the re-summons, and for the purpose may have a writ of re-summons, although, the writ of summons may have been returned summoned; and if the defendant do not appear within four days after, the said return day, the plaintiff shall be entitled to a judgment by default.

37. An action of injunction, must be commenced by a writ of injunction, to obtain which, the plaintiff must file his complaint verified by his own oath and by such other evidence as the court or judge may think proper.

The court or judge may also require the plaintiff to give sufficient security to indemnify the defendant from any injury he may sustain by means of the writ of injunction; but this is a matter in the discretion of the court or judge, as is also the issuing the injunction, and the contents thereof.

38. A writ of injunction, is a writ directed to the party, commanding him to abstain from doing some act, which it is alleged he is about to do, and also to appear before the court at a day to be therein appointed to show cause why the injunction shall be dissolved. Every writ of injunction shall be issued in duplicate.

39. A writ of injunction may be served by the sheriff, or any other person except the plaintiff, by leaving it or a copy or duplicate thereof, with the person to whom it is directed. The original or its duplicate writ, must be returned to court on or before the day appointed for the defendant's appearance, accompanied by a solemn affirmation of the service.

40. If the defendant disobeys the injunction, the court

on being satisfied of the facts by affidavit, may issue a writ of arrest against him, although privileged under the twenty-ninth section, and punish him by a fine or imprisonment, or otherwise, in their discretion. Such writ shall be returnable before the court or a judge thereof only, and shall contain no clause respecting bail or security.

41. An injunction shall not be dissolved, unless the defendant appear and file a sufficient answer to the complaint, verified by oath: it shall not be dissolved merely because he denies knowledge of the facts alleged in the complaint and puts the plaintiff upon the proof thereof.

42. Replevin must be commenced by issuing a writ of replevin to obtain which the plaintiff must give sufficient security, in the discretion of the clerk of the court, that he or his representatives, will return the goods about to be replevied, and pay the costs if any court having jurisdiction in the cause shall so adjudge and indemnify the plaintiff, from any injury he may sustain, by means of the writ of replevin.

43. A writ of replevin, is a writ directed to the sheriff, commanding him to replevy and deliver to the plaintiff, the goods therein specified, to summon the defendant, to appear before the court on a day therein appointed, to answer the complaint of the plaintiff, and to have the writ before the court on the said day.

44. It shall be the duty of the sheriff literally to execute the commands contained in the writ of replevin, and to return his doings to the court.

45. If the sheriff cannot find the goods mentioned in the writ of replevin, the plaintiff may either issue another replevin or a writ of re summons on the former writ, turning the action thereby into an action of damages, in which last case his sureties shall be released. He may have an attachment for a sum equal to double the value of the goods as ascertained by his own oath; provided he files an affidavit that he believes they are or have been in the defendant's possession.

46. If the sheriff replevy and deliver the goods, and return those facts to the court, and the defendant do not appear within four days of the day appointed for his appearance, the plaintiff shall be entitled to a judgment by default, which shall operate as a discharge to his sureties and shall entitle him to the goods.

47. No judgment entered in pursuance of any direction contained in this chapter, shall be stricken out after the term at which it is entered, nor during that term, but on payment of costs and compliance with such other conditions as the court may impose; provided that the

court may inquire into the truth of any return, and if they shall be satisfied that any return was false, they may order the officer making such return, to pay the costs, and may make such order as to the defendant's appearance, as may to them seem just.

48. A term is the space of time comprehended between the legal first day of any meeting of a court, and the legal first day of the next meeting of the same court.

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CHAPTER, III.

OF BAIL.

1. Bail is the security which is given by a defendant of his complying with the judgment of the court.

2. Bail can only be had in cases where the plaintiff is entitled to a writ of attachment or arrest, and only to the amount of the sum mentioned in such writ.

3. The stipulation into which bail shall enter shall be that the defendant shall perform the judgment of the court, or render his body to the sheriff under penalty of such a sum.

4. Whenever a defendant is brought before a court, judge, or commissioner of bail, on a writ of arrest, and the court, judge or commissioner is of opinion that the plaintiff is entitled to demand bail, it shall be lawful for such court, judge or commissioner to commit such defendant to prison, if such court, judge or commissioner shall in the exercise of a sound discretion, deem it proper, until he is discharged by due course of law. Such discharge may be by order of the plaintiff, or some proper authority before whom the defendant has given bail, or before whom he has assigned all his property for the general benefit of his creditors, agreeably to the directions of law.

5. The remedy against bail, shall be an action of contract, which, however, cannot be commenced until after the return of a writ of execution, which has proved wholly or in part ineffectual. The bail shall be discharged by the death of the principals prior to such return.

6. The same remedy is to be applied in all cases of security mentioned in the second chapter; but the previous return of a writ of execution shall not be necessary, except in the case of bail, nor shall the death of the principal be a discharge in any other case.

the measure of damages, in the case of bail, is the amount of the judgment rendered by the court, in the case in which bail was given.

Every judge of a court shall have power to take jurisdiction of all actions pending in his court, and every court shall have power to appoint, by standing rules, commissioners or referees who shall have the same power. The court may by standing rules establish an appeal from a commissioner or referee, in cases in which they may deem it

CHAPTER, IV.

OF THE COMPLAINT.

Whenever the defendant appears, it shall be the duty of the plaintiff to file his complaint, unless he has already done so before. If the plaintiff has not filed his complaint, ten days after the appearance of the defendant, the defendant may demand to be discharged.

The appearance of the defendant is to be accounted as valid, when it is entered on the records of the court. This shall not be done until bail has been given, when the plaintiff is entitled to bail, unless an attachment hath been laid on the defendant's property, in which case he may appear without giving bail, the attached property standing as a security for bail.

Every complaint must contain a distinct and intelligible statement, in writing, of a sufficient cause of action within the scope of the form of action chosen, otherwise the action may be dismissed.

4. Every complaint must commence in this manner, 'A. B. complains that,' and conclude 'all which the said plaintiff is ready to prove.' No other form is necessary. In no case shall it be necessary to state any fiction of law, or any precise amount of damages, or any matter which it is not necessary to prove.

5. If the plaintiff has really several causes of action, against the same defendant, suited to the same form of action, he may include them all in one complaint, separating them from each other, by the words, 'and the said plaintiff further complains that.'

A complaint in an action growing out of contract, shall state the contract and the violation thereof; and if the

contract be one merely implied by the law, and the facts from which the law will imply it.

7. A complaint in an action of debt, must state an obligation or promise to pay, or it must be in the form prescribed in the next section.

8. A complaint in debt may be in this form, or a complaint that C. D. is indebted to him for sundry property chargeable in account, as will appear by account herewith filed, and has neglected to pay said account which the said plaintiff is ready to prove. Together with the complaint in this form, there must be filed an account stating specifically, distinctly and intelligibly, the articles with which the plaintiff intends to charge the defendant, so as to give the defendant notice of the facts the plaintiff intends to prove.

9. A complaint in specific performance must state the contract and the refusal of the defendant to perform his part thereof; it should also state that the plaintiff has performed or is ready to perform his part, unless it is required by the terms of the contract, the part of the performance sought, is to be performed first.

10. A complaint in injunction, should state the facts, entitling the plaintiff to demand that the defendant should not do the act, from doing which it is enjoined upon him, and also the belief of the plaintiff that the defendant intends to do such act. The oath of the plaintiff is sufficient evidence of such belief.

11. A complaint in contract, shall state the contract, the violation thereof, and the fact that the plaintiff has sustained damage by reason of such violation. But it shall not be necessary to specify any amount of damages.

12. A complaint in replevin, shall state that the plaintiff detained certain specified movable property of the defendant, enumerating the same.

13. A complaint in ejectment, may state that the plaintiff was possessor of the land sought to be recovered or that another person was possessed of it and that the defendant or defendants detain said land, and if possession thereof in the plaintiff be not averred such complaint shall contain an averment that the title of the person in whom possession is averred, hath come to the plaintiff. A widow may recover her dower in the same form.

14. A complaint in ejectment, may state that the defendant detains the lands of the plaintiff, to which he is entitled, under a grant from the Republic or other authority having power according to law, to grant land in the first instance, or from the defendant himself to the plaintiff or from any other person who may be named in the complaint, and in the last case, the complaint shall contain an averment that the title of such last person hath come to the plaintiff.

plaintiff. The allegation is sufficiently proved by proving title, unless some other person is proved to have been in possession, at the time it was important to prove possession in the plaintiff, or the person under whom he claims.

15. A complaint in ejectment may state that a judgment, to be recited in the complaint, was obtained against the defendant, that an execution issued thereon, and the sheriff or the other proper officer, in pursuance thereof, sold certain lands of the defendants, to the plaintiff, or to any other person, and that the defendant detains the said lands. If the sale by the officer, is not alleged to have been made to the plaintiff, the complaint must also state, that the title of the person, to whom the sale was made, has come to the plaintiff.

16. When an action of ejectment is brought against a tenant who holds over, it shall be sufficient for the complaint to state the lease or renting to the defendant, and that his time has expired. If the defendant be not the original tenant, or plaintiff not the original landlord, the title of those parties to the action, who are not parties to the lease, shall be deduced in general terms from the lessor or lessee, as the case may require.

17. When an action of ejectment, is brought to recover property which has been leased, and the interest of the lessee or his assignee, forfeited by the non-payment of rent, it shall be necessary for the complaint to state summarily the lease, the claims of re-entry, and the average of a year's rent, whereby the interest of the defendant is forfeited, and that notwithstanding such forfeiture, he detains the land. If the action be not between the original parties to the lease, the title of these parties to the lease, shall be deduced in general terms from the lessee, as the case may require.

18. The complaint in an action of damages, shall state the injury complained of, and the fact that the plaintiff has sustained damages thereby; but it shall not be necessary to specify any amount of damages.

19. A complaint in damages to real property, must either state that the plaintiff, at the time of the injury complained of, was possessed thereof, or that he was formerly possessed thereof, and had parted with the possession thereof, to be reinstated therein at some period, or upon the happening of some contingency, or it must aver the same facts as to some other person and deduce title like a complaint in ejectment. But no person can maintain an action of damages, for an injury to real property done before his title to the same accrued. The allegation of possession, shall be sufficiently proved by showing title, unless some other person is proved to have been in possession at the time, at which it was important to prove possession in the plaintiff, or those under whom he claims.

20. A complaint in damages for an injury to personal

property, must state that the plaintiff was the proprietor of the goods, which were the subject of injury, or that he was possessed of them, and shall also state such injury, which may consist in taking, using, damaging, destroying, selling or detaining such goods, or in any act which may diminish the value thereof, or render the possession of them insecure.

21. A complaint in damages, for a personal injury to the person or reputation of the plaintiff, need only state the injury. If the injury complained of be a malicious or improper suit, prosecution, or other legal proceeding, the complaint must show that such suit, prosecution, or proceeding, is at an end, and has terminated in favor of the present plaintiff.

22. A complaint in an action of damages, for an injury to the domestic relations of the plaintiff, must state the relation upon which it is intended to rely, the injury, and also that the plaintiff sustained damage thereby.

23. The plaintiff may once amend his complaint or withdraw it, and file a new one at any time before the case is ready for trial but he must pay the whole cost of the action, incurred by both parties, up to the time of such amendment, and if he change his form of action, he shall lose the benefit of bar, if any has been given.

CHAPTER, V.

OF THE ANSWER.

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1. The defendant may either deny the truth of the facts stated in the complaint, or he may deny that they are sufficient in law to maintain an action, or he may do both, and in so doing he is not confined to any form.

2. If the defendant deny both the facts and the law, the question of law shall first be disposed of.

3. The defendant may file an answer to the complaint, setting forth new facts to excuse or justify his conduct, every such answer must be in writing, and must contain a distinct, intelligible and sufficient answer to the complaint or to such parts thereof, as it professes to answer, or judgment shall be given for the plaintiff.

4. Every answer which is not a mere denial of the truth of the facts alleged in the complaint, or of the laws assumed the same, or of both, must commence. The defendant de-

nies the right of the plaintiff to recover, because,' and conclude, 'And this the defendant is ready to prove.' No other form is necessary.

5. Every answer must be filed within twenty days after the appearance of the defendant, provided that the complaint shall have been filed before the expiration of ten days from the said appearance, otherwise it shall be filed within ten days after the defendant shall have received notice of filing the complaint.

6. If no answer is filed as provided in the last section, the defendant shall be understood to deny the truth of the facts, and to rest on that defence only. Every answer may be once amended or withdrawn, and a new one filed, or an additional answer filed, but this must be done so as to produce no delay in the trial of the cause, and the defendant must pay all the cost of the action incurred by both parties, previous to such amendment.

7. If the defendant have really several answers to the complaint, he may avail himself of them all, separating them by commencing each new answer with the words, 'And also because.'

8. No general denial, whether expressed or implied, shall ever be construed, in an answer or reply to amount to an affirmation of any fact, such as payment, performance of a contract, inability of a defendant to contract, illegality of consideration, permission of the plaintiff, lapse of time, or other affirmative matter, of the intention to prove which, the other party ought in fairness to have notice. The fundamental principle upon which all complaints, answers or replies shall be constructed, shall be that of giving notice to the other party, of all new facts which it is intended to prove, whether they are consistent with the facts already stated to the court, or being inconsistent with the present existence of such facts, admit or imply their former existence, or show that existing, they can have no legal effect.

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CHAPTER VI.

OF THE REPLY AND SUBSEQUENT PROCEEDINGS.

1. The plaintiff must reply to the defendant's answer, within ten days after he has notice that it is filed, or he shall be obliged to rest his case on the denial of the truth of the answer only, to be construed agreeably to the principles of the eighth section of the last chapter.

2. The plaintiff may in his reply, either deny the truth of the answer, or that it constitutes a sufficient answer to his complaint, or both. But if he denies both, the question of law must first be disposed of. Such denial is to be construed agreeably to the principles of the eighth section of the last chapter.

3. The plaintiff may reply new facts, if he thinks proper to do so, subject to the rules laid down for answer. Such reply must commence, 'The plaintiff denies that the answer of the defendant is sufficient to prevent his recovery,' and conclude, 'And this the plaintiff is ready to prove.' No other form is necessary.

4. If the defendant choose to give any other answer, than the denial of fact or law to the reply, he may file a second answer, but this will seldom be necessary or proper; in like manner, the plaintiff may file a second reply, and so on, until one of the parties rests his case on a denial of the facts stated, or law assumed by the other party, or of both; such subsequent answers and replies, are subject to all the principles, rules and forms, above laid down, such alterations being made in the forms, as circumstances may require.

5. Every answer and reply, must contain a distinct, intelligible and sufficient answer in writing, to the complaint, or reply to which it purports to be an answer or reply, or to such parts thereof as it professes to answer, and must not depart from the ground taken by the former answers or replies to the same party, or judgement shall be given for the other party.

6. If a party have really two or more sufficient answers or replies, to the answer or reply of his adversary, he may avail himself of them all, separating them by commencing each new answer or reply after the first, with the words, 'And also because.'

7. Amendments may be made in replies and answer, subsequent to the first, upon the terms on which they may in the first answers and replies; and subsequent answers may be withdrawn, and others substituted upon similar terms.

CHAPTER VII.

OF TRIAL.

1. The trial of all questions of mere law, shall be by the court.

2. The trial of all questions of mere fact, shall be by a jury, if required by either party, and the value of

the matter in dispute exceed twenty dollars, unless in cases where the court are expressly authorized or directed by law, to enquire into any matter of fact, not going to the final decision of the case.

3. The trial of all mixed questions of law and fact, shall be by jury, with the assistance, and under the direction of the court, unless where the court could try a question, if one of mere fact.

4. A jury shall consist of twelve persons, who shall solemnly swear or affirm immediately before the trial, that they will well and truly try the issue joined between the parties, and a true verdict give according to evidence.

5. The opinion of the court, shall in all cases be the evidence to the jury of the law of the land.

6. The amount of debt or damage shall, unless otherwise directed by law, be in all cases ascertained by a jury. The jury who try an action of replevin, when the goods are in the possession of the plaintiff, shall, if they find a verdict for the defendant, ascertain the value of the goods.

7. The court shall try all questions and ascertain the amount of debt and damages in all cases in which a jury is not required.

8. If in an action of enforcement, or in any other case, in which a judgment is stated in a complaint, the defendant deny the facts stated in the complaint, the court shall try the question, whether there is such a judgment or not, and their opinion on that subject, shall be conclusive upon the jury, if there is one.

9. It is the right and duty of the court to expound to the jury all written evidence, procured in the course of the trial, but depositions and affidavits, although actually reduced to writing, are not to be considered as written evidence within the meaning of this section.

10. It is the right of the court to decide on the admissibility of evidence; but when it is admitted, it is the right of the jury to decide upon its credibility and effect.

11. Consequently the court have no right to instruct the jury, that there is no evidence of any particular fact, if any evidence not written has been given in the case.

12. It is the duty of the court when applied to by either party, or by the jury, to instruct the jury upon any point of law which is important to the decision of the case; and the court may so far decide upon the effect of unwritten evidence as may be necessary to enable them to ascertain whether a point, upon which instruction is asked, is important to the decision of the cause.

13. The court shall not instruct the jury upon any point of law, which has not a bearing upon the merits of the cause.

14. On the trial of an action for a malicious suit, prosecu-

tion, or proceeding, it shall be the right of the jury, to determine whether reasonable cause for such suit, prosecution, or proceeding existed or not, which they shall do by taking into consideration all the facts and circumstances of the case. The court shall only instruct them, as to what facts are requisite and proper to furnish a sufficient foundation in law for similar suits, prosecutions, or proceedings.

15. Either party may require the court to reduce its opinions and instructions to writing, and whenever an appeal is to take place, the whole evidence in the court shall be reduced to writing, and with the opinions and instructions signed by the judges, shall be transmitted to the court, before which the appeal is to be heard.

16. The court may set aside the verdict or decision of the jury, and order a new trial, whenever it shall be proved that the jury or any of them have received a bribe, or have conversed otherwise than openly in the presence of the court, with any party to the suit, or agent of such party, on the subject of the trial, after being affirmed; or if any jurymen was related to either of the parties, or to the wife of either of the parties, as father, son or brother, or had himself any pecuniary interest in the cause, or if the verdict shall be manifestly against the evidence, the law, or the legal instructions of the court, or if the debt or damages found by the jury, be greatly too much or too little, when compared with the evidence in the cause.

17. The court, in awarding a new trial, may impose such terms upon the party in whose favor they award it, as to it shall seem just.

18. Every motion for a new trial, must be made within four days after the verdict, or if on the ground of the verdict being against evidence, law, or the instruction of the court, or of a mistake in the amount of damages, within two days. Within one day after such a motion is made, it shall be the duty of the court to appoint a time for hearing it, which if the ground of the motion shall be such, as by the provisions of this section, would render it necessary to make the motion within two days after the verdict, shall be immediately, if the court have time—if not, it shall be at the next term.

16. When a verdict is set aside, it shall be the duty of the court to appoint as early a day, as conveniently may be, for a new trial.

20. Every question of law or fact, shall be disposed of at the term at which it is raised, unless the court is prevented from disposing thereof by want of time, or is satisfied by affidavit or other sufficient evidence, that the ends of justice require a postponement, and that the necessity does not grow out of the misconduct or negligence of the party applying or the postponement.

CHAPTER VIII.

OF COURTS.

1. Every court shall consist of one more judges and shall have a clerk, and a seal.

2. Every act of a court unless otherwise directed by law or rule of court, shall be authenticated by the signature of the clerk, and the seal of the court.

3. It shall be the duty of the clerk of every court to keep a docket, or list of the cases pending in the court, which shall exhibit all the proceedings taking place in the cause : take charge of all records and papers, and on payment of fees, give copies of them whenever required, to sign all writs and other acts of the court, and to do such other duties as may be required of him by law, or rule of court.

4. It shall be the duty of every court, at each term or session, to dispose of all questions of mere law depending before it, and then to cause a jury to be provided to try questions of facts and mixed questions.

5. Every court shall have power to cause to be arrested and brought before it by writ of arrest, or otherwise, any person who may interrupt or disturb its proceedings, resist the execution of a writ or writs issued by its authority, refuse or neglect to obey its lawful summons, or that of the sheriff to attend upon its sitting, or refuse or neglect to perform the duties, for the performance of which any such person may have been summoned, or who being summoned and having appeared, shall depart from the court without leave. But this section shall not be construed to extend to defendants in actions, who may disobey a summons, in cases in which a writ of arrest is not expressly authorized against them in the second chapter.

6. When any person is brought before the court under the last section, it shall be lawful for the court to punish him or her by fine and imprisonment, or otherwise in the discretion of such court.

CHAPTER IX.

OF JURIES.

1. Every jury shall be composed to twelve jurymen, the consent of the whole of whom, shall be necessary to a verdict.

2. Every jury, shall on the demand of either party, be chosen in the following manner. Twenty four names of persons qualified to be jurors in the case, shall be put into a book, and twenty of them drawn by lot, each party may strike four from the list, and the remaining twelve shall try the cause, should the parties strike the same persons, the court shall reduce the number to twelve.

3. The foreman of every jury, shall be appointed by the court.

4. The foreman of every jury, shall deliver their verdict, but any party to the action, may demand the opinion of each jurymen in order that he may ascertain if the verdict is unanimous.

5. Every jurymen, immediately before the commencement of the trial, shall make a solemn promise or affirmation, to the effect prescribed in the fourth section of the seventh chapter or ; else that he will well and truly inquire of the debt to ———or the damages sustained by the plaintiff. The latter form applies to inquiries after judgment by default or otherwise.

6. No person can be a jurymen in any case in which he has, directly or indirectly, a pecuniary interest, or in which any ancestor, descendant, brother or sister of his or his wife or the husband or wife of any such ancestor, descendant, brother or sister, has, directly or indirectly, such interest, or in which any uncle, aunt, nephew, niece, or first cousin of himself or his wife is a party, or wife to a party, or in which he has acted as agent or assistant, in any way for either party, or on the merits of which he has expressed any opinion, or in which he has previously acted as a jurymen or arbitrator. Either party may object to the name of any person, disqualified from serving by this section, being put into the box, and the facts, if denied may be proved by the oath of the jurymen proposed, or any other sufficient evidence. The court may also exclude a person from serving on a particular jury, for any reason which in the opinion of triers, affects his impartiality, or on his own application may for similar reasons excuse him. But in cases of exclusion, except for the specific causes above mentioned, the court shall, if required so to do, by either party cause three persons qualified as jurymen in the cause to be chosen as triers, in the manner following : that is to say, the court shall nominate nine persons, whose names shall be put in the ballot box and seven of them drawn and entered on a list, each party shall strike two from the list, and the remaining three shall try the impartiality of the jurymen without appeal : should the same persons be struck by both parties, the number shall be reduced to three by the court. But if a juror is admitted to try a cause without objection or after a trial by the court, or by triers, the verdict shall not be set aside, on account of any disqualification in him to serve on the jury, not mentioned in the fifteenth section of the seventh chapter.

7. If after the list of a jury is made out, it shall appear that the whole twelve, are not present, or one or more of them shall prove not to be lawful jurors, the court may nominate five persons qualified as jurors, in the cause, for each jurymen wanting, the names of such persons shall be put into the ballot box, and three for each jurymen drawn and written on a list, from which each party may strike one third of the names thereon, and the remaining third shall be the jurymen. The court may nominate person whose names have been before in the box and not drawn, but not a person whose name has been stricken from the list by either party in the same cause.

8. In all cases where a party refuses or neglect to strike a name or names from any list, the court may do it for him.

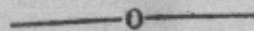
9. Every jurymen must be twenty-one years old, of good moral character.

10. Every jury must be kept together, from the time at which they are affirmed, until they render a verdict, without communicating with any person, except the constable sworn to attend them, unless the court dispense with any part of this section. A jury may, notwithstanding, have food, water, light, and such other necessities as the court may direct.

11. If the court are satisfied that there is no prospect of the jury agreeing, they may be discharged and a new trial awarded.

12. The jury may always find the facts specially and refer the law to the court. If they disagree upon the amount of debt or damages, they may report to the court the opinion of each jurymen, and the court may ascertain the amount.

13. The sheriff shall cause twenty-four qualified jurymen to attend at each term of every court, having original jurisdiction, to be summoned as equally as may be from the several townships, within his jurisdiction, and in rotation in each township. If from any cause, any particular jurymen shall be disqualified from serving in a particular case, or shall be absent, the place of his name may be supplied in the ballot box by that of any person qualified to serve as jurymen in the case, without reference to townships or rotation. The persons whose names are substituted for those of others, shall be called additional jurymen and shall be summoned by the sheriff before their names are put into the box. Their service in a particular case shall not be accounted instead of their service in rotation.



CHAPTER X.

OF THE GENERAL RULES OF EVIDENCE.

1. It shall be the duty of every party alleging the existence of any fact to prove it. The burden of proof rests on

the party who maintains the affirmative, except in special cases.

2. Where a party charges another with a culpable omission or breach of duty, he shall be bound to prove it, although it involve a negative. Every man shall be presumed to be innocent until the contrary is shown.

3. Where the facts lie peculiarly within the knowledge of one party, he shall be held to prove the negative.

4. When the fact alleged, is the life of any person, if he be shown ever to have existed, the party denying his continued existence, must show his death. But death shall be presumed from an absence of seven years, during which no account can be given of the absentee.

5. The legitimacy of every person is presumed.

6. Marriage is presumed, whenever the parties have lived together as husband and wife.

* 7. It is sufficient if the allegations of a party, are substantially proved.

8. The best evidence which the case admits of, must always be produced: that is, no evidence is sufficient, which supposes the existence of better evidence.

9. A copy is not evidence unless the original is proved to be lost, or to be in the possession of the opposite party, who has received notice to produce it, or unless it be a copy of some record or other public document.

10. Hearsay is not evidence, except in particular cases.

11. Hearsay from deceased persons, of ancient facts, of which they, from their situations, were likely to have knowledge, such as marriages, births, deaths and pedigrees, may be received as evidence; but it is evidence of a low grade.

12. General reputation, is evidence of general character, of marriage, of legitimacy, of death, of a man having filled or filling a public office in which he has publicly acted.

13. All admissions, made by a party himself, or by an agent of his, acting within the scope of his authority are evidence.

14. Whatever has been said by a party himself is evidence against him.

15. Every agent for the conduct of a cause shall have authority for making admission in that cause.

16. The admission of every other agent, in any matter under his control as agent, shall be evidence.

17. Where several parties have a joint interest, the common interest being proved, the admission of one is the admission of all, but the common interest, cannot be proven by the admission of one or more against those not joining in such admission.

18. All admissions must be taken altogether, the whole document or conversation must be given in evidence and will be evidence of all qualifications, exceptions and denials con-

tained therein, and of all facts connected with the question stated therein, but evidence may be given of the falsehood of any statements so made. But no document of conversation can be made evidence by the other party proving any other document or conversation, not referred to in the document or conversation first proved.

16. No declaration of any party shall be evidence in his favor, except in the case provided for in the tenth section of the fourth chapter, in the case provided for in the last section, and such other as may be provided for by law.

20. The directions given, or other words spoken by any person or persons, during the transaction of any matters, are not to be regarded as hearsay, or as the declarations of a party : they may be proved as facts.

21. The admissions or declarations of any person, under whom a party to a cause derives title to any property in dispute, in such cause, touching such title or property made while the interest of such person in such property continued, shall have the same effect as if made by such party.

22. Printed histories shall be evidence of notorious public historical facts.

23. Foreign laws are facts, and must be proved like other facts.

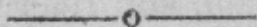
24. If a book, pamphlet, paper, painting, or drawing, engraving, etching or other article, shall be sold in an office or shop, where such articles are usually sold, the person for whose account the business of such office or shop is carried on, shall be presumed to have sold such book, pamphlet, paper painting, drawing, engraving, etching or other article, until he remove that presumption by contrary proof.

25. Every conversation to which any person was a party, or which was carried on in his presence or hearing, shall be evidence against him, subject to the qualification in the eighteenth section, (in this chapter,) and to the sound discretion of the jury in the application of the rule.

26. The possession of any property is evidence of title thereto, until the contrary be shown.—Where the actual possession of property is vacant, it shall be deemed to be in possession of him, who may be the right owner. Yet he may waive this constructive possession and treat it as if in the possession of any other person, who may claim it.

27. All evidence must be relevant to the issue, that is, must have a tendency to establish the truth or falsehood of the allegations and denials of the parties. But in actions for the injuries, enumerated in the fifty ninth section of the chapter of injuries, it shall be lawful to give evidence of any fact which has a tendency to explain the situation, or circumstances, or motives of the parties, in aggravation or mitigation of damages, although not properly relevant to the same.

28. Evidence is divided into written evidence and oral testimony.



CHAPTER XI.

OF WRITTEN EVIDENCE.

1. Written evidence comprises judgments, verdicts, and other records, deeds, conveyances, wills, bonds, notes, agreements, entries in books, and other similar documents ;—it does not include depositions taken, to be used in a cause, although reduced to writing.

2. All verdicts, judgments, and other records, and all wills, and other documents, which have been recorded in pursuance of any law, and all documents, lawfully deposited in any public office, may be proved by producing copies of such documents or the records thereof, authenticated by the signature of the proper officer, and by his seal of office, if he be required by law to have one. The acts of any court required by law to have a seal, must be authenticated under such seal.

3. All other writings must be proved by the production of the originals, unless in the cases provided for in the ninth section of the last chapter, or in other laws.

4. The loss of documents, or their delivery to the other party may be proved by the other of the party to the cause, or other interested witness.

5. Hand-writing must be proved by the oath of a person acquainted with the hand-writing of the party, whose it is alleged to be, either from having seen him write or corresponded, or transacted business with him ; or it may be proved by comparison with undoubted writings of his,—proved not to have been written after the dispute arose, or under other suspicious circumstances.

6. By suspicious circumstances are meant any circumstances, likely to induce a party to deviate from his usual mode of writing, or to cause it to be changed involuntarily.

7. Acts of the Legislature, whether private or public, may be given in evidence from books printed by authority.

8. Foreign laws must in general be proved like other facts ; but the printed laws of Foreign Courts, published by authority, shall be evidence.

9. The written laws of other countries, must be proved by copies attested in the most solemn manner usual in such

countries; and proof must be given as to what is the most solemn manner used in such countries.

10. The judgments of foreign courts and foreign records must be attested in a similar manner.

11. Acts of the Legislature and foreign laws shall be admissible evidence against all persons whatsoever.

12. Verdicts and judgments shall be admissible evidence against all parties thereto, and those claiming under them—They shall not generally be evidence against all other parties except for the purpose of shewing their own existence.

13. Where a verdict or judgment has been rendered against any person, in consequence of any act or omission of another person, such verdict or judgment shall be evidence against such other person, in an action by the original defendant to prove its own existence and the amount of damages sustained.

14. A verdict, on which no judgment has been given, shall not be evidence.

15. A legal judgment shall be evidence, although not founded upon a verdict.

16. A foreign judgment is evidence in the same manner as a domestic one, its existence having been first proved, and also the existence of the law upon which it is founded. But no proof need be given of the law of nations.

17. A judgment of a foreign prize-court is not conclusive evidence of any act whatever, but it is some evidence.

18. A foreign judgment in a case in which the defendant did not appear, although a part thereto, shall be no evidence against him. But if any person have appeared for his interest, it shall be evidence, unless he show that the appearance was without his authority.

19. A verdict or judgment shall be evidence against the party who succeeded in the original action, or those claiming under him, in favor of any person whatever; but it shall not be evidence against the party who failed in the original action, unless it would be also evidence against the party who produced it as evidence.

20. A verdict and judgment in ejectment shall be evidence, but not conclusive evidence of title; but two verdicts in actions between the same parties or those under whom they claim, in favor of the same side, shall be conclusive, unless it be shown that there has been a verdict and judgment the other way, and even in that case, three similar verdicts and judgments shall be final and conclusive.

21. Other verdicts, and judgments, and sentences and decrees of courts of competent jurisdiction, are final and conclusive evidence upon the same matter, and some evidence to prove any other fact which comes in question in another cause, which they may have any tendency to prove.

22. In all cases where the judgment of a court of limited

jurisdiction, or foreign court, is relied on in evidence, the jurisdiction of such court, must be proved to extend to the case in which the judgment was given.

23. A will regularly admitted to proof, by a court having jurisdiction to do so, is evidence against all mankind, unless in a proceeding instituted for the purpose of setting aside such will or the probate thereof.

24. Letters testamentary, and of administration, may be read in evidence in all cases whatever, until they have been regularly revoked.

25. Deeds and other writings shall be evidence against all parties to them, and shall also be evidence of the transfer of all titles or rights transferable by them, against all mankind.

26. A memorandum made by a deceased disinterested person, in the ordinary course of his business, shall be evidence.

27. If a party desire to give in evidence any document, in possession of his adversary, he shall give him reasonable notice to produce it, and the court shall have authority to decide whether the notice is reasonable. But where the proceedings in the cause give notice that one party means to charge another with the possession of an instrument, no other notice shall be necessary.

28. When an instrument is produced under such a notice, the party who requires it must prove the hand-writing of the party subscribing it, unless where the party producing it claims title under such deed or other instrument.

29. If the party to whom the notice has been given, to produce a deed or other instrument, neglect or refuse to do so, and do not prove that it is not in his power, he shall be taken to admit its authority, and its contents may be proved by a copy, or by the testimony of witnesses.

30. If the party to whom notice has been given, to produce a deed or other instrument, shall not produce it, its contents may be proved by a copy, or by the testimony of witnesses.

31. If a party to a cause is fraudulently in possession of an instrument, which does not belong to him, no notice to produce it is necessary, and the contents may be proved without such notice.

32. If a deed or any document, which is wanted to be given in evidence, is not in the power of either party, the party wanting the same may have a writ of summons directed to the person having custody thereof, requiring him to bring such deed or other documents with him to court; which writ may be enforced in the manner herein before provided for in the sixth section of the seventh chapter.

33. Either party may examine the other upon oath, as to whether any instrument or signature is in his hand-writing,

either before or at the trial. If any party refuse or neglect to answer an interrogatory to that effect, it shall be considered an admission that it is his hand-writing.

34. If any party shall on such examination, deny that the hand-writing is his, and the instrument has the name of a subscribing witness annexed to it, such witness must be produced, or his absence accounted for, by showing his death, or removal beyond the process of the court, or other fact rendering his attendance impracticable, and in that case it shall be necessary to prove both his hand writing and that of the party. But if the instrument be produced under a notice, this section shall not apply to the case.

35. When an instrument has been produced under a notice, or the party has not denied on oath that the instrument or signature is his hand writing, or when there is no subscribing witness, it shall be sufficient to prove the hand-writing of the party. But if reasonable notice has been given to prove the hand-writing of the subscribing witness as well as of the party it must be done. The court shall judge of the reasonableness of the notice.

36. A document more than thirty years old, which is proved to have been found in the possession of a person who may reasonably be supposed to have been possessed of it, supposing it to be genuine, and which is attended by no circumstance tending to throw suspicion over it, shall be deemed to prove itself.

37. It shall be the right of the court, to expound all written evidence.

38. No testimony can be received to explain any instrument of writing, as to any doubt or ambiguity apparent on the face of it, but if in consequence of the introduction of testimony relative to persons, things or other matters mentioned in any instrument of writing, a doubt arises, such doubt may be cleared up by testimony.

39. No testimony shall be received, to prove that the terms of any written contract or other instrument were different from those therein stated, but testimony may be received to show that an instrument is fictitious or fraudulent, and testimony may also be received to show that there was an additional consideration, or other stipulation not inconsistent with the terms stated in the instrument.

CHAPTER XII.

OF ORAL TESTIMONY.

1. Oral testimony is the detail given on oath by living witnesses, of their knowledge of facts.

2. It shall be the right of the court to decide on the competency or admissibility of oral testimony, and of the jury to judge of its credibility and effect.

3. All oral testimony shall be admissible, which is delivered by competent witness, and from which the human mind can properly draw any inference, having a bearing on the case.

4. Every witness shall be considered as competent, who cannot clearly be shewn to be incompetent. All objections not absolutely and directly going to competency, shall go to credibility only.

5. Every person shall be a competent witness who is not rendered incompetent, by defect of understanding, defect of religious belief, defect of moral character, through infamy, interest in the case, or relation to one of the parties.

6. No person shall be deemed an incompetent witness by reason of a defect of understanding, who is able to give an account of the nature and obligation of an oath. It shall be the duty of the court to examine all children under twelve years old, as to this matter, before administering an oath to them.

7. No person shall be deemed an incompetent witness by reason of a defect of religious belief, except one who does not believe in a future state of rewards and punishments.

8. No person shall be deemed an incompetent witness by reason of a defect of moral character, or through infamy, except one who has been convicted of perjury, or any crimes specified in Part 1st, page 12 sec. 5.

9. No person shall be deemed an incompetent witness on account of an interest in the cause, except he be a party thereto, or bail, or otherwise security in the cause, for the party who calls him, or be answerable over to such party, or be responsible for the costs, or a part of them, or except the verdict or judgment can be given in evidence against him, or except he has an interest in the plaintiff's claim, or other thing in dispute. If he can be shown to have an equal interest on both sides, he shall not be deemed disqualified on either.

10. No person shall be deemed incompetent on account of relationship to a party, except the relation be that of a husband and wife, or except the witness be under twelve years of age, and be the child of the party or reside with him under his care.

11. The persons described in the exceptions in the last five sections, shall be deemed incompetent witnesses.

12. Where a witness is incompetent from interest in the cause, he may be called and examined by the party against whom he is interested. Where a witness is incompetent, from interest, because he is bail, or surety, another sufficient surety may be substituted, and he discharged, to restore his competency.

13. A party to the cause, shall not be called and examine-

ed as a witness at the trial, unless to prove his own hand-writing, or the loss or delivery of a paper, or in some other case specially provided for by law or by consent of all parties. But he may be examined on interrogatories in writing, filed in court, and a copy served on him, not less than ten days before the trial, and unless he filed his answers in writing, verified by oath, before the jury is affirmed, he shall be taken to admit the truth of all suggestions contrary to his interest, contained in the interrogatories. If he files answers, they and the interrogatories must be read to the jury. A party against whom interrogatories are filed, may, within two days afterwards, file interrogatories, and serve a copy on the other party, which shall have the same effect as if they were served ten days before the trial, unless the court shall be of opinion, under the special circumstances of the case, that such effect would work injustice. The case may, however, be postponed until such interrogatories are answered. If the court shall be of opinion that the answers to any interrogatories filed by any party, are defective or evasive, it may, in its discretion, require such party to be sworn in its presence, and examined as a witness at the trial, provided the other party agree thereto; and may permit the other party, to abstain from reading them whether the person given writing answers, shall be so examined or not.

14. The incompetency of a witness by means of a defect of the understanding, must be proved by examination, by the court.

15. The incompetency of a witness by reason of a defect of religious belief, may be proved by the examination of the court or by witnesses.

16. The incompetency of a witness by reason of a defect of moral character, must be proved by the record of his conviction, and by testimony of his identity.

17. The incompetency of a witness on account of interest, may be proved by his own oath, or in any other manner.

18. The incompetency of a witness on account of his relation to the party, may be proved by the oath of the witness, the oath of the party, or in any other manner. For that purpose a party may be examined at the trial.

19. The resorting to any one mode of proof to establish the incompetency of a witness, shall not preclude the party from resorting to any other.

20. The competency of a witness who is incompetent from interest only, may be restored by releasing or assigning, or offering to release or assign his interest in the matter, which disqualifies him, or by the parties releasing their claims upon the witness, or by offering to do so, and the witness refusing their release.

21. An interest acquired by a witness to disqualify himself, shall not produce that effect.

22. A witness shall be compellable to answer every question which may be asked him, unless he will swear that his answer may subject him to punishment, other than pecuniary fine, or unless he be the confidential agent of one of the parties in the case, and the question be one which such party himself could not be compelled to answer, and the witness have no knowledge of the subject, but what is derived from the confidential communication of the party.

23. A witness must generally be examined in the presence of the court and jury, if possible.

24. Either party may at any time, if he is fearful of losing the testimony of a witness, cause the testimony of such witness to be taken and reduce to writing by a justice of the peace, either in the presence of the opposite party or his agent, or after having given reasonable notice of his intention to do so. The court shall decide what is reasonable notice according to the circumstances of the case; which, however, shall be never less than twenty-four hours.

25. If a witness, resides, or is of out the Republic, and a party desires to obtain his testimony, he may file interrogatories in writing, and an application for a commission to some place to be named; naming his commissioner, and serve copies thereof on the opposite party: who shall there upon within four days file cross interrogatories in writing, and name his commissioner; in default thereof, the commission shall issue to the commissioner of the first applicant, and shall be forwarded without cross-interrogatories. A commission may by consent be issued to one commissioner.

26. It shall be the duty of any commissioners, appointed under the last section, to reduce to writing the depositions and answers on oath of all witnesses, who may appear before them, and send them carefully sealed up to the court.

27. If the witness reside in a country, where the execution of commissions is not allowed, the court may send interrogatories and cross interrogatories, with a letter rogatory, addressed to the proper authority, requesting such authority to take the depositions and answers of the witnesses.

28. Depositions taken out of court, can only be used when the witness cannot be produced in court.

29. Leading questions, that is, such as instruct the witness how to answer, shall not be asked.

30. A witness shall depose to such facts only, as are within his own knowledge and recollection.

31. A witness may refresh his memory by reference to a written memorandum made by himself, or made by another, and examined by himself while the occurrences mentioned therein were still recent.

32. A witness shall depose to facts only, not to opinions, except in cases of science, or peculiar knowledge which he may possess, from his peculiar studies, occupation, or pursuits; and except in questions of general character.

33. On cross-examinations, leading questions may be put.

34. A witness may be cross-examined as to all matters touching the cause, or likely to discredit himself; but he shall not be asked irrelevant or hyperbolical questions, for the mere purpose of entrapping him.

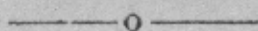
35. The credibility of a witness, may be impeached, by giving his general character, or by showing his conviction of particular crimes, producing the record of conviction; but not by proving particular allegations. not before that time judicially established.

36. The credibility of a witness, may be impeached by showing that he has contradicted himself, either in or out of the court.

37. When the testimony of a witness is attempted to be impeached, his former statements may be given in evidence to corroborate his testimony. This rule does not apply to a witness who is also a party.

38. A party shall not impeach the credibility of his own witness, who is not also a party, although he may contradict him, by the testimony of other witnesses, or by documentary evidence.

39. The court or the jury may, for their own satisfaction, inquire into the credibility of the witness on either side.



CHAPTER XIII.

OF OATHS AND AFFIRMATIONS.

1. Parties in action, where an oath is required of them, and witnesses, shall be sworn in the manner hereinafter directed, unless, where the court shall be satisfied that the person is conscientiously scrupulous of taking an oath on any occasion; in which case his solemn promise or affirmation shall be substituted for an oath.

2. Jurymen, triers, appraisers, interpreters who are civilized men, and all other persons who are presumed to be selected on account, in part, of respectability of character, shall only be required to give a solemn promise or affirmation that they will perform their respective duties.

3. When it is necessary to employ an uncivilized man, to interpret a language spoken by uncivilized men, he must be sworn.—All natives of Africa, who are not Christians, Jews, or Mahommedans, are to be considered uncivilized.

4. The manner of administering an oath to all persons

shall be such as those of the religious persuasion, profession, or denomination, of which such person is one, generally esteemed the most effectual confirmation, by the attestation of the Divine Being; and all persons holding it unlawful to take an oath on any occasion, shall be allowed to make their solemn promise or affirmation, to be of the same avail as an oath, in all cases whatever, the court being satisfied of the reality of their scruples.

5. Oaths shall be in the following form, unless where a different one is required by the principles of the last section: You do, solemnly and sincerely promise and swear, in the presence of the Omniscient, and heart-searching God, that (*here insert the substance of the promise,*) as you will answer the same to the Great Judge of quick and dead; to which the person shall assent, putting his right-hand on the book and kissing it.

6. The form of a solemn promise or affirmation shall be: 'You do, solemnly and sincerely promise and affirm, that' (*here insert the substance of the promise.*)

7. The oath or affirmation of a witness shall be—'that the evidence, which he shall give to the court *and jury*, in the matter now depending before them, shall be the truth, the whole truth, and nothing but the truth! Where the evidence is to the court alone, the word 'and jury' shall be omitted.

8. Where the witness is a party, or only examined to ascertain his competency, the oath or affirmation shall be—'that he shall true answer make to all such questions as shall be asked him by the court or its authority.'

9. The promise of a jurymen impannelled to try a question of fact, other than the amount of a debt or of damages, shall be—'that he will well and truly try the *issues* joined between A. B., plaintiff, and C. D., defendant, and a true verdict give, according to the evidence.' If there is but one *issue*, that word shall be in the singular.

10. The promise of a jurymen impannelled to ascertain the amount of a debt, after an imperfect judgment, shall be,—'that he will well and truly try and assess the debt, due by the defendant to the plaintiff.'

11. The promise of a jurymen impannelled to ascertain the amount of debt or damages, after an imperfect judgment, shall be—'that he will well and truly try and assess the *debt due by the defendant to the plaintiff*, in the action in which A. B., is plaintiff, and C. D., is defendant; except in an action other than one of debt, the words, *damages sustained by the plaintiff*, shall be substituted for the words *debt due from the defendant to the plaintiff*;

12. The promise of a jurymen impannelled to ascertain the value of goods in replevin shall be—'that he will well truly try and ascertain, the value of goods in question in an action

of replevin, where A. B. is plaintiff and C. D., defendant :

13. The whole jury may be affirmed at once.

14. The court may combine or otherwise accommodate the preceding forms of the promise of a jurymen, to suit the peculiar circumstances of particular cases.

15. The promise of a trier shall be—'that he will well and truly : whether A. B., stands indifferent between the parties in the cause now depending before the court.'

16. The promise of an appraiser, shall be—'that he will well and truly value and appraise all articles which he shall be required to value and appraise during the present service, according to the best of his skill and knowledge.

17. The promise of a commissioner to take testimony, shall be—that he will, according to the best of his skill and knowledge, truly, faithfully, and without partiality to any person, take the examinations and depositions of all and every witness produced and examined before him.' In cases of commissions to be executed out of the Republic, it shall be sufficient for the commissioners to subscribe this promise.

18. The promise of a clerk to a commissioner, where there is one, shall be—that he will truly, faithfully, and without partiality take, write down, and transcribe, the depositions and examinations of all and every witness examined, before the commissioners named in the annexed commission, so far forth as he is directed and employed by the said commissioners, or any of them, so to do.' In cases of commissions, executed out of the Republic, it shall be sufficient either for the clerk to subscribe this promise, or for the commissioners to certify that he was duly affirmed.

19. The promise of a commissioner of bail, shall be—that he will truly, faithfully, and without partiality, execute the office of commissioner of bail.'

20. The promise of an interpreter shall be—that he will truly, faithfully, without partiality, and to the best of his skill and ability, perform the duty of an interpreter in the cause now depending before the court.

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CHAPTER XIV.

OF CERTAIN INCIDENTAL PROCEEDINGS.

1. Where goods have been replevied ; or goods or other property, taken out of the possession of the defendant under the provision of the thirty-fifth section of the sec

ond chapter ; it shall be lawful, for the defendant to move for a return of such goods or other property ; and the court shall proceed, without the aid of a jury, to hear such motion, after reasonable notice to the parties, of the time of hearing ; and if it shall appear to the court on examining witnesses or other evidence, that the defendant in replevin, did not acquire possession of the goods replevied by force or fraud, or that the plaintiff in specific performance or enforcement, is not entitled to the possession of the property under the contract, sought to be enforced in the action, the court may order, a return of the property, without prejudice to the final decision of the cause

2. Whenever goods taken in replevin, are returned under the last section, the defendant shall give security, to be approved by the court, that he will return the goods to the plaintiff, if the court shall so direct.

3. Whenever goods shall have been attached, which are of a perishable nature, or expensive to keep, the court, or any judge thereof, may, on the application of any party interested, order a sale of such goods, and a writ of sale to be issued.

4. Whenever an answer, verified by oath, is filed in injunction, the defendant may move for a dissolution of the injunction, and the court shall fix a day for the hearing of the same, giving reasonable notice thereof. It shall be heard in a summary way, without a jury, and the court may dissolve the injunction, without prejudice to the final decision of the cause.

5. Whenever a party shall die, or assign his property for the benefit of his creditors, his legal representative shall be made a party in his stead ; and if such legal representative will not voluntarily appear, and prosecute or defend the cause, the other party may issue a summons for such legal representative, and if necessary, a re-summons ; and on a return of summons, or any return to a resummons, if such legal representation still refuse or neglect to appear, judgment by default may be entered against him. Any person may inform the court of the death of a party. The provisions of this section, shall not extend to actions for personal injuries, nor to cases in which, by the death of one of several co-parties, his interest in the matter in dispute in the cause, passes to his co-parties. When the action for a personal injury, is by or against a man in respect of personal injury, committed by or against his wife, the action will survive to or against his wife, and she may be made a party in the place of her husband, either voluntarily, or in the manner above directed.

CHAPTER XV.

OF ARBITRATIONS.

1. It shall be lawful for the parties in any action, at any time before verdict or judgment, or for any persons having a dispute, not yet made the subject of an action, to apply for a rule of court, to refer such action or dispute to arbitrators, which rule shall be made, if the court is satisfied that all the parties concerned have consented.

2. The arbitrators named in the rule, may be one, two, or three in number; if two, they shall have power to choose a third.

3. Arbitrators appointed by rule of court, shall have the same authority to summon witnesses, examine them, and administer oaths and affirmations as the court, making such rule. They may also direct the clerk of such court, to issue commissions to take testimony to be used before them, and may enforce their summons, and compel the answers of witnesses, by writ of arrest and fines, associating with themselves, for these purposes only, a justice of the peace, who shall sign such writs and orders for fine. Such fines may be enforced by action of debt, in the name of the Republic, unless paid without compulsion.

4. Arbitrators may dispose of all questions of costs of the action or arbitration, as incident to their authority, and may make any award which the court can enforce by a judgment.

5. The award must be in writing, and signed by the arbitrators, or a majority of them.

6. The award shall be evidence of all facts stated in it, against all the parties to the arbitration, and shall be conclusive, after a judgment shall have been entered upon it. It shall then be equal to a verdict.

7. Every thing shall be presumed to support the award, until the contrary be proved.

8. No judgment shall be entered on an award, until four days after the party against whom it is rendered, has been served with a copy thereof.

9. Either party to an award, may file his objection in writing at any time before a judgment is rendered thereon.

10. The objections may be, either corruption in the arbitrators, gross partiality, want of notice of the time and place of proceeding, or error in law, apparent on the face of the award. In all cases except in the last, the objection must be verified by affidavit.

11. The court shall appoint an early day for hearing such objection, giving reasonable notice to the parties; they

shall be heard in a summary way, without a jury, and decided by the court upon the evidence adduced. The court may either confirm the award, or set it aside, as they may deem just; and, if they set it aside, may send it back to the same or other arbitrators, with or without instructions; or may cause the case to be tried by a jury.

12. Whenever a case shall present complicated accounts, not fitted to be unraveled by a jury, the court may, without consent, refer them to arbitrators as aforesaid; but in such case, the award shall state the particulars of the account on both sides, and whether allowed or rejected by the arbitrators; and either party may except to the allowing or rejecting any item; which exceptions, if required, shall be tried by a jury.

13. The Court shall in such case give such judgment, as may be proper taking into view both the award and finding of the jury.

14. If no objections or exceptions are filed to an award, it shall be confirmed of course.

15. Whenever an award is confirmed, final judgment shall be rendered thereon, as soon as may be.

16. Any persons may refer any dispute between them to arbitration, in any manner they may think proper; but unless it be done agreeably to the previous provisions of this chapter, the award shall not be the foundation of a judgment, without a new action. Such reference shall be irrevocable, unless by consent of both parties.

17. An action of debt shall lie on an award for the payment of money only. An action of contract or specific performance, on any other award.

18. In any action brought upon an award, every thing shall be presumed in favor of the award, the reference and the signatures of the arbitrators, being first proved, and the award shall be evidence of all facts stated in it, although liable to be contradicted by other evidence.

19. An award not made in pursuance of a rule of court, shall in all cases be evidence of its own existence, the reference and signatures of the arbitrators, being first proved, and in all cases every thing shall be presumed to support it. It shall be some evidence of facts stated in it against the party in whose favor it is given, and also against the other party, in a contest between them, although liable to be contradicted by other evidence.

CHAPTER XVI.

OF IMPERFECT JUDGMENTS, AND PROCEEDINGS AFTER
THEM TOWARDS FINAL JUDGMENT.

1. An imperfect judgment, is given when the court, although they see from the proceedings, that one party is entitled to succeed in the case, are not yet informed as to the extent of his right of recovery.

2. Imperfect judgments, are either by default, by confession, or on questions of law, or after an imperfect verdict.

3. Judgments by default, are given in the case provided for in the second chapter, or other parts of this abstract: and whenever a party formally abandons his claim of defence, and refuses to prosecute his case, or to resist the claim of his adversary before a jury is affirmed; after the jury is affirmed there must be a verdict. A plaintiff may before the jury is affirmed, abandon his claim, reserving, expressly, his right to renew his action.

4. Judgments by confession are, where either party confesses that the other is right, and that he is wrong. If the confession stops there, the judgment must be imperfect, but the parties may go on and ascertain the debt or damages, and costs also by confession, and in that case a final judgment shall at once be given.

5. Judgments on questions of law, are given when any action has been decided by the court without a jury, either because the case presented no question of fact, or because it turned solely upon the existence of a record.

6. Judgments after an imperfect verdict, are given either after a special verdict, in which the jury has neglected to find the debt or damages, or the jury shall have reported their opinions as to the amount of debt or damages to the court, under the provision of the twelfth section of the ninth chapter; and also in all actions or special performance.

7. The form of an imperfect judgment, except in injunction, shall always be—The court adjudges that the plaintiff is (*or is not*) entitle to recover.

8. The form of an imperfect judgment in injunction may be either, The court adjudges that the injunction ought to be made perpetual, or the court adjudges that the injunction ought to be dissolved. If the injunction have been once dissolved on motion and the court on the final trial should think that it ought to be renewed, the imperfect judgment may be—‘The court adjudges the the injunction ought to be renewed and made perpetual. If the court shall in any way modify the original injunction, they may modify the imperfect

judgment to suit the circumstances of the case.

9. In case of an imperfect judgment for the plaintiff in an action of debt, in which there is a written instrument or instruments, ascertaining the amount of the debt, or in an action of replevin, where the goods at the time of the imperfect judgment are in the hands of the plaintiff, it shall be the duty of the court to ascertain the debt or damages to be recovered from the defendant.

10. In all other actions of debt or replevin, and in all actions of contract or damages, it shall be the duty of the court, except in the cases hereinafter otherwise provided for, to cause a jury to ascertain the debt or damages.

11. In all actions of replevin, where the goods are in the hands of the plaintiff, and the judgment is for the defendant, the court shall cause a jury to inquire into the value of the goods, if the defendant demand such inquiry, or by consent of the parties, the court may ascertain such value itself.

12. In all cases whatever, it shall be the duty of the court to ascertain the cost, and consequently to complete all judgments for the defendants.

13. In actions of specific performance and injunction, where the plaintiff has recovered, it is the duty of the court to ascertain what is the injunction which ought to be made perpetual, or to what specific performance the plaintiff is entitled; as well as to ascertain the cost, and consequently to complete all judgments in these actions.

14. As there are ordinarily no damages in ejectment, it is the duty of the court to complete all judgments in that action except in the case provided for in the next section.

15. It shall be lawful for a plaintiff in ejectment, who has succeeded in obtaining a verdict or an imperfect judgment, to file a petition to the court, praying that he may have judgment for the damages he has sustained by the detention of his land; and the court giving reasonable notice to the other party, shall cause a jury to inquire into the extent of such damages, and complete the judgment accordingly. The provisions of this section shall not be deemed to apply to ejectments, brought for lands forfeited, for non-payment of rent. In such cases the plaintiff can have no damages.

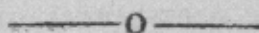
16. In actions of enforcement, the court shall complete the judgment, ascertaining the costs, and doing whatever else is necessary for that purpose. An action of enforcement, is only necessary where a judgment has stood without execution, two years, or a party has died.

17. In imperfect judgments, after an imperfect verdict, the court may either ascertain the debt or damages themselves, or, on the demand of either party, it may be done by a jury; but if such jury cannot agree, the amount of the debt or damages shall be settled by the court.

18. Whenever the service of a jury are necessary or re-

quired to complete an imperfect judgment, the court shall add to such imperfect judgment an order for their attendance.

19. The court may, by consent of the parties, ascertain the debt or damages, and complete imperfect judgments in all cases.



CHAPTER XVII.

OF FINAL JUDGMENT.

1. As soon as a perfect verdict is rendered, or an imperfect judgment completed, the court shall proceed to render a final judgment.

2. The form of a final judgment in debt for the plaintiff, shall be—The Court adjudges that the plaintiff recover from the defendant the sum of——for his debt, and the sum of——for his costs in this action. Interest, when allowed, shall be computed as part of the debt.

3. The form of a final judgment for the plaintiff in specified performance, shall be—The court adjudges [*here insert the substance of the judgment*] and that the plaintiff recover from the defendant the sum of——for his cost in this action.

4. The form of final judgment for the plaintiff in an action of contract or damages, shall be—The court adjudges that the plaintiff shall recover from the defendant the sum of——for his damages, and the sum of——for his costs in this action.

5. The form of a final judgment for a plaintiff in injunction, shall be—The court adudges that the defendant be forever enjoined and prohibited from [*here insert the substance of the injunction.*] and that the plaintiff recover against the defendant the sum of——for his costs in this action.

6. The form of a final judgment for the plaintiff, when he is in possession of the goods in replevin, shall be—That the plaintiff hold the goods without being liable to disturbed by any future replevin, and also recover against the defendant the sum of——for his costs in this action.

7. The form of a final judgment for the plaintiff in replevin, when the goods are in the defendant's possession, shall be—The court adjudges that the defendant return the goods to the plaintiff, or pay him the sum of——for his damages; and that the plaintiff hold the goods, if returned, without being liable to be disturbed by any future replevin; and recover against the defendant the sum of——for his costs in this action.

8. The form of a final judgment for the plaintiff in eject.

ment, shall be—'The court adjudges that the plaintiff shall recover against the defendant, the lands mentioned in the complaint, and the sum of——for his costs in this action.' When all the lands mentioned in the complaint are not recovered, the judgment shall describe the lands, recovered, and add the words 'part of' before the words 'the lands.'

9. Where damages have been ascertained in ejectment, under the provisions of the fourteenth section of the last chapter, the court shall insert in their judgment, after the word 'complaint,' the words 'and the sum of——for his damages.'

10. The form of a final judgment in enforcement shall be—'The court adjudges that the plaintiff may have execution against the defendant, of the judgment mentioned in the complaint, and shall recover against him the sum of——for his costs in this action.'

11. Whenever the interval between the ascertainment of the debt or damages and the rendition of the final judgment shall be so great that the interest on the debt or damages shall exceed two dollars, the court may ascertain the amount of such interest, and may, in their discretion, insert in the judgment, after the word 'debt' or 'damages,' as the case may be, the words 'and the sum of——, for additional debt,' or additional damages, as the case may be.

12. The form of a final judgment for a defendant shall be—'The court adjudges that the complaint of the plaintiff be dismissed, and that the defendant recover against the plaintiff the sum of——for his costs in this action.'

13. If the action be injunction and the injunction be not dissolved before the final judgment, the words 'and that the injunction be dissolved' shall be added after the word 'dismissed.'

14. If the judgment for the defendant be a replevin, and the goods are in possession of the plaintiff, they may add at the end of the judgment, 'and that the plaintiff return the goods to the defendant, who shall hold the same, without being liable to be disturbed by any future replevin, or pay him the sum of——for the value thereof.'

15. If there has been no ascertainment of the value of the goods, so much of the judgment in the last section as relates to the value shall be omitted.

16. If the judgment for the defendant be in replevin, and the goods be in possession of the defendant, the court shall add at the end of the judgment in the last section but one, 'and the defendant shall hold the goods, without being liable to be disturbed by any future replevin.'

17. The court may alter any of the preceding forms, so as to accommodate it to the peculiar circumstances of a particular case.

18. All final judgments shall carry interest from the day of their rendition, of which it shall be the duty of the clerk of the

court to keep a memorandum. The interest shall be computed upon all sums mentioned in the judgment, whether debt or additional debt, damages or additional damages, or costs.

19. The court, or jury, or arbitrators, shall, in all cases, compute interest at such rate as they may deem proper, not exceeding six per cent, unless there shall be a special written agreement for a higher rate, not exceeding twelve per cent.: a special written agreement for a rate of interest greater than twelve per cent, per annum shall be rejected, and interest computed at a rate not exceeding six per cent. Interest on judgments shall be computed at the rate of six per cent, per annum, except in cases where a higher rate upon the original contract, not exceeding twelve per cent, shall have been agreed upon in writing, and the court shall positively direct in the judgment that it shall bear interest at such high rate and in the case provided for in the next section.

20. Where an appeal shall be taken from any judgment, and such judgment is affirmed, it shall be lawful for the court to which the appeal is taken in affirming such judgment, to direct, in their discretion, interest thereon, to be calculated at a rate of interest not exceeding twelve per cent, where the judgment bears a lower interest than eight per cent, and in no case exceeding fifteen per cent.

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CHAPTER XVIII.

OF EXECUTION.

1. Immediately after the entering of the final judgment, the successful party may demand a writ of execution. But if either party to the judgment have died, leaving no surviving plaintiff or defendant, as the case may be, or if the judgment be of two years standing, no execution shall issue without an action of enforcement.

2. A writ of execution shall be directed to the sheriff, commanding him to seize and expose to sale, the lands, goods, and chattels of the party against whom the judgment has been rendered, until he has raised the sum of money named in the judgment, and interest; and if he cannot find any lands, goods, or chattels, of the said party, to arrest him, and bring him before the court or some judge thereof, to be dealt with according to law, unless he pays to the said sheriff the said sum of money, and interest, or shews him property, to seize and sell for the same; and when the money is raised, or paid, to pay the same over to the party entitled to receive the same, and to make

known to the court how he has executed the said writ, upon a day to be therein named. Any person may, at any time, issue an attachment in enforcement, instead of an execution.

3. The sheriff shall literally execute the commands of the writ of execution, and shall cause an appraisement and schedule of all property seized by him, to be made, as in the case of attachment, and annexed to the writ.

4. The sheriff may return to the said writ, either that he has made the money, and paid it over to the person entitled to receive it; or that he has it in court, ready to pay over; or that he has seized the property mentioned in the annexed schedule, and that it remains in his hands, for want of buyers; or that he has arrested the party named in the writ, and now has him in court; or that he arrested him and he was discharged by such an authority; or that he cannot find the party, or any lands, goods, or chattels of his.

5. Where the sheriff returns to a writ of execution, that he has property on hand, for want of buyers; or where there is property in the hands of the sheriff, taken under an attachment in the same case, a writ of sale may issue, commanding the sheriff to sell said property, and pay over the proceeds to the party entitled to receive them; or if property has been previously sold and the proceeds are in court, they may be paid over by an order of court.

6. When a sheriff goes out of office, or dies, it shall be his duty or that of his representatives, to hand over to his successor all property in his hands under execution or attachment, and the new sheriff, shall in each case file a statement or schedule of the property so handed over to him, and as to all such property the writ of sale shall go to the new sheriff.

7. The party may, giving reasonable notice to the old sheriff, or his representatives, move the court for a judgment against such sheriff or his representatives, for the value of any property not handed over, and the court may enter such judgment in a summary way, without formal proceedings, regarding it as a judgment in an action of damages. A jury shall not be necessary, but the court may ascertain the damages by comparing the two schedules. A similar proceeding may take place, whenever the sheriff shall refuse or neglect to pay over money, or deliver over property which he ought to pay or deliver over as sheriff.

8. Where an attachment has been laid in the hands of a garnishee, who has appeared and defended the case, or where an attachment has been laid in the hands of a garnishee, and neither the defendant nor the garnishee appear, there shall be a final judgment against the garnishee; a judgment by default having been first entered in the last case, and on such final judgment an execution may be issued against such garnishee for the amount so attached in his hands. But if the garnishee appear and defend the case, he may demand that the jury in-

quire into the value of the debt due from him to the defendant or of the property of the defendant in his hands, and if it be less than the sum attached in his hands, the judgment shall be for no more than the jury find, and if it be property, he shall not be obliged to purchase it at the valuation of the jury, but may prevent an execution, delivering up to the sheriff the specified articles, which he may require the jury to find, and which shall then be sold by writ of sale, the sheriff having first filed a schedule of them.

9. When the defendant has appeared, there shall be no judgment against the garnishee, until after a proceeding similar to that directed against a sheriff in the seventh section; in which however, the garnishee, may demand a jury, and such proceedings by and before them, may be had as are directed in the eighth section, and the party may relieve himself from the execution in the manner provided for in the eighth section; but the proceedings, and judgment, if one be rendered, shall in all other respects, be regulated by the seventh section.

10. Whenever property in the hands of the sheriff, on account of its perishable or expensive nature, or for any other legal reason is ordered to be sold, a writ of sale, shall be issued.

11. If property against which a writ of sale has been issued, is not sold in pursuance of the first writ of sale, other writs of sale may be issued until it is sold.

12. If a sheriff neglects his duty under a writ of execution or sale, an action of damages may be maintained against him.

13. Every sheriff, to whom a writ of execution or sale has been directed, shall have authority, and it shall be his duty to put the purchaser or purchasers of any property moveable or fixed, sold by virtue of such writ, in possession of such property; if the sheriff himself or the person against whom the writ was issued, is in possession of the same. It shall also be his duty and he shall have authority to execute all instruments of writing or other evidence of title which may be necessary or proper for the security of such purchaser or purchasers.

14. Whenever a plaintiff shall recover in ejectment or replevin, the goods in the latter case being in the possession of the defendant, he may in his discretion obtain a writ of possession, directing the sheriff, to deliver to him such lands or goods; which writ, it shall be the duty of the sheriff to execute.

15. The purchaser of lands or goods at sheriff's sale, may have a writ of possession, requiring the sheriff to deliver such lands or goods to him, upon showing sufficient evidence of his title, and that the lands or goods were in possession of the sheriff or of the party, as whose property they were sold. All of which matters the court may inquire into in a summary way, without a jury, giving such notice as it may deem reasonable to the parties in possession.

16. Judgments in injunction and specific performance, may be enforced by writ of arrest, bringing the defendant before the court. On his appearance, the court may punish him by fine or otherwise, in its discretion, and may repeat the proceedings until the object is attained.

17. When property has been attached as per schedule, at the commencement of proceedings, and the attachment has not been dissolved, but the property remains in the hands of the sheriff, as security for the judgment; or where mortgaged, or pledged property, has so been attached, and so remains, a writ of sale shall issue in place of an execution, and such attached property shall be sold under the same. But if the attached property, do not produce sufficient to discharge the judgment, a writ of execution may afterwards be issued, for the amount deficient.

CHAPTER XIX.

OF INSOLVENCY.

1. Insolvency is the condition of a man, whose property is not sufficient to pay his debts.

2. Whenever a man is insolvent, all conveyances, assignments, transfers and deliveries of his property, shall be void and of no effect; but conveyances, assignments, transfers, and deliveries of his property, made ninety days before his assignment for the general benefit of his creditors, as hereinafter provided for, to persons ignorant of his insolvency, shall be valid. It shall be presumed that every man is insolvent, for ninety days before he applies for permission to assign his property, for the general benefit of his creditors. Before that time his acts are valid, unless his insolvency can be proved.

3. Every person arrested on a writ of execution, or a writ of arrest for debt, contract, or damages not for personal injuries, shall be at liberty to declare himself insolvent, and apply for leave to assign his property for the general benefit of his creditors.

4. The application must be made to the court issuing the writ of execution, or to some judge thereof, and it shall be the duty of the sheriff to take such person before the said court or judge, as soon as he is required so to do.

5. The court or judge, shall require the applicant to file a schedule of all his money and other property, and of all

*make up
to be
to assign
to the
court
shall file schedule of his property with clerk (see § 11)*

debts due to, or from him, as far as he can ascertain them, and to verify the same by his oath.

6. The court or judge shall then appoint some person to take charge of the property, who shall immediately call a meeting of the creditors, to elect a trustee to act for their benefit. In such election, every person shall, for each twenty dollars of debt due him, be entitled to one vote. Creditors for less than twenty dollars, shall be entitled to a vote each.

7. As soon as the trustee so elected has given security before the court or judge, all the property, whether real or personal, of the insolvent, shall by operation of law, be vested in him, as if the insolvent were dead, and he were his administrator, and he shall proceed to take possession of all his property, and to administer the estate in the same manner as an administrator, except that he shall make no difference between real and personal property, and shall account for his proceedings in the same manner, and to the same authority. The trustee shall, as much as possible, be likened to an administrator in his duties, rights, remedies and liabilities, in the manner of proceeding against him, and the causes for which proceeding may be had, in all respects whatever.

8. The court or judge shall, on the insolvent filing the schedule required in the fifth section, require him to take an oath that he will disclose any property or debts not mentioned in his schedule, which he may hereafter discover, and that he has not secreted any thing belonging to him, and has not in expectation of making that application, done any act to diminish his estate or injure his creditors, or prevent them or any of them, from recovering their just proportion of his property.

9. The Court or judge shall require the insolvent to give security, that he will appear when called upon, to answer any allegations or interrogatories which may be filed against him.

10. The court or judge may discharge the insolvent from arrest, and from all future arrest for any debt he may owe, or actions to which he may be liable at that time. But such discharge shall not extend to any execution, or other writ, founded on an action of damages for an injury to the person, reputation or domestic relations of any person, except the particular execution upon which the defendant is arrested.

11. When an insolvent is arrested upon an execution, founded on an action of damages to the person, or domestic relations of another, he shall proceed in all respects in the same manner as if arrested upon an execution, founded on a judgment in any other action, but the court or judge shall not discharge him unless he has suffered imprisonment, in the discretion of such court or judge. who shall be guided in the extent of the imprisonment by the amount of the damages, allowing for any imprisonment he may have suffered, under a writ of arrest or execution in the same action.

12. Every creditor of an insolvent, may file at any time within one year of his discharge, before the court discharges him, allegations of fraud, committed either in contracting the debt due to such creditor, or in the application for permission to assign.

13. Every concealment of money, or other property or debts due to the insolvent, every conveyance, assignment, transfer or delivery, of any money, property, or effects, to any person, whatsoever, made without consideration, shall be deemed a fraud.

14. Every conveyance, assignment, transfer or delivery, of any property or effects, to any creditor of the insolvent, in payment or diminution of his debt, within ninety days before his application, or at a greater distance of time, with a knowledge of existing insolvency, or with a view of an application, shall be deemed a fraud.

15. Every transaction fraudulent, within the meaning of the last two sections, or otherwise, shall be void, as against the trustee.

16. The trustee, or any creditor may examine the insolvent on interrogatories, as to all such transactions or any other matter connected with his insolvency, and his answers reduced to writing, and verified by oath shall be evidence against him and against all other persons claiming under him or interested in any transaction, which is pronounced a fraud by the thirteenth and fourteenth sections.

17. Every insolvent convicted of fraud in the contracting a debt, or in his application as aforesaid, shall be imprisoned in the discretion of the court.

18. Every defendant arrested on a writ of arrest, only to secure his appearance in any case, not an action of damages for an injury to the person, reputation, or domestic relations of another, may proceed in all respects, as if he had been arrested on a writ of execution, and may be discharged in the same manner, and on the same conditions, and subject to all the same proceedings and other consequences, and shall then be entitled to appear in the action without bail. Nothing in this section contained, shall apply to any action of injunction.

19. Every insolvent may retain one bed, one table, two chairs, cooking utensils and so much wearing and other articles privileged from execution as may be absolutely necessary for the present use of the said individual and his family, and the title thereto shall not vest in his trustee agreeable to the previous provision on this subject; *provided*, that a schedule of articles so retained, verified by oath, be produced to the court or judge discharging such insolvent, and filed: and such court or judge may require the articles mentioned in such schedule to be produced, and cause them to be appraised, and may order such of them as such court or jury may deem unreasonable, or not to come under the description of privileged

articles, to be delivered up for the benefit of the creditors ; or such court or judge may allow the insolvent to retain them, becoming debtor to his trustee for the appraisement. This, however, to be regarded as an indulgence in the discretion of the court or judge, who shall also have power to determine the length of the credit.

20. Every insolvent may retain so many mechanical tools and agricultural implements as may be absolutely necessary for the present use of the said individual, filing a schedule of them, verified by oath, and procuring them to be appraised under an order from the court or judge discharging ; but such insolvent shall be regarded as a debtor to his trustee for the amount of the appraisement. The debt to be paid at the time prescribed by the court or judge. Every insolvent may refuse to take his tools at the appraisement, either before or after the appraisement, is made.

21. Every schedule, appraisement petition or other paper produced before a single judge in a case of insolvency, or made by order of such judge, shall be filed with the clerk of the court of which such judge is a member.

22. Whenever any person shall have applied for permission to assign his property for the benefit of his creditors, and a trustee have been appointed and given bond in the manner herein-before provided for, it shall be the duty of the court or judge approving such bond, to cause the same to be transmitted to the clerk of such court, and every clerk of such court shall forthwith record all the papers touching such application and appointment, including said bond, in a book to be kept for that purpose, and shall transmit the original papers to the authority to whom such trustee is bound to render an action agreeable to the foregoing provisions of this chapter : who shall retain the same, and summon the trustee as often as may be deemed proper, to render an account of his trust ; and shall keep a docket or list, of all such cases, containing the names of the insolvents, of the trustees, and of the securities of the trustees, and shall note therein the dates of all accounts rendered by the parties, and the balances due from such trustees by such accounts, and shall keep an index to such docket in the name both of the trustees and insolvents.

CHAPTER XX.

ON APPEALS.

1. Every person against whom any judgment is rendered, shall be entitled to appeal from any decision or opinion of any court, except such courts of appeals.

2. There shall be no appeal from any verdict of a jury in any question of mere fact, except to the court in which the case was tried, for the purpose of setting aside the verdict in the manner herein before provided for.

3. It shall be the duty of the party, who intends to appeal from any opinion or decision of a court, which does not appear upon the face of the ordinary proceedings in the case, to cause such opinions or decisions, with the evidence and prayer or motion upon which it is founded, to be reduced into writing and signed by the judge or judges on the day, on which such opinion or decision is pronounced.

4. The writing required by the last section, shall be called a bill of exceptions, and shall be annexed to the ordinary record, and considered as a part of it.

5. It shall be the duty of the clerk of the court from which an appeal is taken, to make up a record containing all the writs, returns, complaints, answers, replies, verdicts, bills of exceptions, judgments and other proceedings in the cause, and to transmit such record to the court to which the appeal is taken.

6. Every appeal must be taken within sixty days, after final judgment.

7. Every party taking an appeal shall be called 'appellant,' and the party against whom it is taken 'appellee.'

8. Every appellant must give security, to be approved by the court, that he will indemnify the appellee from all injury arising from the appeal, and will comply with the judgment of the court to which the appeal is taken, or any other to which the cause may be removed, or his appeal shall be dismissed.

9. An action of contract, shall lie against the sureties so given, in which the measure of damages shall be the final judgment in the original cause, and interest or other damages arising from delay, to be computed as the appellate court may direct.

10. The court to which the appeal may be taken shall examine the matter in dispute, upon the record only; they shall receive no additional evidence, and they shall reverse no judgment for any default of form, or for any matter to which the attention of the court below shall not appear to have been called, either by some bill of exceptions, or other part of the record.

11. It shall be the duty of every court, to which an appeal is taken, if the judgment of the first court is reversed, to give such judgment as that court ought to have given, and to ascertain the costs incurred since the first judgment, and to give judgment for them also.

12. When any superior or appellate court, shall reverse any final judgment, and it shall appear to it upon the record

that the plaintiff, or the defendant in replevin, in a case where the goods replevied are in possession of the defendant, is entitled to recover, and it shall not appear by the record, what sum such party ought to recover, it may proceed to give an imperfect judgment in favor of such party, and by consent of parties, ascertain what ought to be the final judgment, and render such judgment; or if the parties will not consent to such ascertainment, shall order an ascertainment by a jury, at the bar of the court below, of the amount of the debt or damages, or the value of the property replevied, as the case may be, and direct such inferior court, to give final judgment upon such inquiry. If the action be brought to recover a liquidated sum, ascertained by an instrument of writing, signed by the party against whom the imperfect judgment is given, or if the case be one in which the court below, might have ascertained the damages without a jury, such superior or appellate court may assess the debt or damages and give final judgment without the consent of parties.

13 Where it does not appear the appellate court by the record, on account of the mixture of questions of law and fact, for which party the judgment ought to be given, it shall be the duty of such superior or appellate court, to remand the case to the court in which it was originally tried, over again.

14. The third, fourth, fifth, twelfth and thirteenth sections of this chapter, shall not be construed to apply to appeals from the decisions of justices of the peace.

CHAPTER XXI

OF JUSTICES OF THE PEACE.

1 Justices of the Peace, shall have jurisdiction out of court without a jury, of all actions where the value of the thing in dispute does not exceed thirty dollars, except specific performance, injunction and ejectment, and action for injuries to the reputation or domestic relations and such others or are excepted in the Judiciary Act.

2. The third, fourth, fifth, sixth, ninth and nineteenth chapters of this title, so much of the seventh, eight and twentieth, as relates to juries, new trials, and records, shall not apply to cases tried before justices of the peace.

3. So much of the twelfth chapter as relates to issuing commissions to take testimony without the Republic, shall not extend to justices of the peace; but either party may

petition the court to which an appeal from a justice lies, for a commission; and such court may, if it thinks proper issue a commission, and stay the proceeding of the justice until it can be executed.

4. Writs of execution, may be issued by a justice of the peace, returnable before a superior court; and such court or any judge thereof, shall have jurisdiction to proceed according to the directions of the nineteenth chapter.

5. No justice of the peace, shall have authority to issue a writ of arrest against a defendant in an action, as such, or a writ of execution containing a clause of arrest except writs of execution issued under the last section, and agreeably to its provisions.

6. Courts shall have concurrent jurisdiction, with justices of the peace in all actions for personal injuries, in which a justice of the peace has jurisdiction.

7. If an action, not for personal injury, be brought in a court, which ought to have been brought before a justice, the court shall, if the plaintiff establish a claim, deduct from the debt or damages, the whole costs incurred by the defendant, and give judgment for the balance, without any costs; or if the costs of the defendant, equal or exceed the debt or damages, shall give judgment for the defendant either without costs, or for the excess of his costs, as the case may require. If the plaintiff fails, the court shall give judgment for the defendant, for full costs.

8. An appeal shall lie from every decision of a justice of the peace, to the most inferior court having jurisdiction at the place, at which such justice lives, or to such other court as may be designated for that purpose, by law. No judgment of a justice of the peace shall be set aside for error in form; but all appeals from justices, shall be taken up by the court to which they are made, anew, and upon the merits, and such judgment given as the justice ought to have given.

9. A justice of the peace, shall have the same power as a court, in preserving order in his own presence, while engaged in his public duties, and also in punishing those who obstruct the execution of writs issued by him, or who disobey his summons or refuse to perform the duties for the performance of which they are summoned. In all such cases he may issue writs of arrest, fine and otherwise punish. But he shall issue no writ of arrest, on pretence of any provision contained in the second chapter of this title. All persons imprisoned by him may, in the discretion of any court or judge be discharged.

CHAPTER XXII.

OF OFFICERS.

1. All writs issued by a court, unless in cases otherwise provided for by law, must be directed to the sheriff. But if the office of sheriff is vacant, or if the sheriff be a party to the cause, or otherwise interested, and there be no coroner, the writ may be directed to an officer, selected for the occasion by the court, called an elizor.

2. An elizor is to be considered as sheriff, in respect of all writs directed to him. When the office of sheriff is filled, or the interested sheriff goes out of office the elizor shall hand over to the new sheriff all writs and other papers, and all money or other property in his hands as elizor, and the same proceedings may be had against him as against a sheriff under similar circumstances.

3. All writs issued by a justice of the peace, except executions, sales, and attachments, may be directed either to the sheriff or to a constable. Executions and attachments must be directed to the sheriff, unless the party prefer that the word 'land' should be omitted, and the writ directed to a constable, which in that case may be done, but a constable shall not be authorized to seize or sell lands in execution. Writs of sale, must be directed to the officer having possession of the property. Writs of execution returnable before a court, must be directed to the sheriff.

4. If the sheriff, as such, is entitled to the possession of any property, which is in the possession of his predecessor, or of an elizor, or of the representative of either, which the party in whose possession it is, refuses to deliver over, the court may, on motion, and being satisfied of the fact, issue a writ of possession, directed to an elizor, requiring him to put the sheriff in possession of such property.

5. Every late sheriff, elizor or other person against whom such writ is issued, may give security, to be approved by the court, or some judge thereof, that he will produce, the property mentioned in such writ of possession, whenever a writ of replevin is issued, if it be personal or movable property, and make oath that he does not believe the sheriff is as such, entitled to the possession of the same; in which case the writ of possession shall be quashed, and the property returned to him. The sheriff may then maintain an action of replevin for such property, in which it shall be sufficient for him to show a right to the possession thereof as sheriff. If the property be real or fixed, no security need be given, but the party may file his affidavit, as above directed, and thereby put the

sheriff to his ejection, which he may maintain by averring in his complaint, and proving the facts which entitle him to the possession.

6. Every sheriff clerk elizor, trustee, constable, or other ministerial officer, is liable to an action of damages for any official misconduct.

7. If an elizor, or trustee dies, or is removed, having property in his hands, the same proceedings may be had against him or his legal representative, as against a late sheriff or his legal representative.

8. When judges, justices of the peace, or other officers, are judges of a particular court in rotation, those only whose turn it is to sit in court at any time, are to be considered as judges during such term. The word term is defined for the purpose of this section, in the forty-eight section of the second chapter of this title.

CHAPTER XXIII.

OF THE WRIT OF HABEAS CORPUS,

1. The writ of *habeas corpus*, is a writ directed to the sheriff, or other persons, who may have the custody, legally or illegally, of any person, directing such sheriff or other person, to have the body of the person, who is in custody before the court or judge named in the writ, for the purpose of enabling such court or judge to inquire into the cause of the confinement or detention of such person, and to discharge such person from such detention, confinement, or custody, if it should appear to be proper so to do. The person to whom the writ is directed, is called the defendant; the person whose body is directed to be produced is called the prisoner.

2. The form of the writ of *habeas corpus*, shall be the following; but changes may be made in the gender and number of the pronouns, and such similar alterations, as the circumstances of each case may render necessary or proper. Several persons may be included in one writ.

Liberia, to [*insert the name of the defendant*] Greeting:

You are hereby commanded to have the body of [*insert the name of the person*] now in your custody, before [*insert the name of the court or judge, and if the latter, his official style*] on [*insert the time*] at [*insert the place*] together with this writ, and the day and cause of his detention, in order that he may be discharged from detention, confinement, and custody, if it shall appear to the said court [*or judge*] proper that he should be so discharged. Hereof fail not at your peril. Given under my hand [*and the seal of court*] this [*insert date.*] Issued in duplicate.

The writ shall be signed by the clerk of the court, or by the judge who issues it, with his name and official style, and the clerk shall, if he sign it, annex the seal of the court. No writ of *habeas corpus* shall ever be quashed for any defect of form, nor shall any advantage ever be taken or allowed, in any way, on account of any such defect.

3. Every court of record, having any other jurisdiction whatever, either original or appellate, shall have the power of issuing writs of *habeas corpus* in all cases whatever; and every judge of any such court shall have the like power.

4. The writ of *habeas corpus*, shall be issued as of right, whenever any person shall apply for the same, and shall satisfy the court or judge, that the person to be named in such writ as prisoner is in confinement, detention, or custody; unless such court or judge shall know, either from the proceedings had upon a then recent writ, or from other judicial proceedings within the personal knowledge of such court or judge, that such confinement, detention, or custody, is legal.

5. If the majority of any court refuse a writ of *habeas corpus*, the minority may, notwithstanding, grant the same, and one judge may issue a writ which has been refused by another.

9. An action of damages, shall lie against every judge refusing a writ of *habeas corpus*, either at the suit of the party applying for the same, or of the party whose name was wished to be inserted in the writ as prisoner, but not of both. In such action it shall be only necessary for the plaintiff to allege and prove that the party whose name was wished to be inserted in the writ as prisoner, was actually in confinement, detention, or custody, and that the judge refused the writ, or consented to the refusal by the court, after reasonable proof of that fact had been made. The defendant in such action can then only defend himself by alleging and proving the existence of such judicial proceeding as might justify his conduct under the last section. In every such action the jury shall be the exclusive judges, of what is reasonable evidence of detention, confinement, or custody.

7. Every writ of *habeas corpus*, shall be issued in duplicate. It shall be served by leaving one copy with the person to whom it is directed. This may be done by any person. The duplicate copy shall be returned to the court or judge issuing the same, with an affidavit of the service annexed.

8. It shall be the duty of every person, upon whom a writ of *habeas corpus*, shall have been served, to attend at the time and place named in the writ, if he shall have had reasonable notice thereof and then and there to return to the court or judge named in the writ, or to any other judge who may be there attending for the purpose, the writ,

with an explanation annexed, of the causes of the detention of the prisoner, and also to deliver to such court or judge the originals of all documents, relied upon as justifying such detention : and to produce before him the body of the prisoner. But if he shall make oath, before such court or judge, that the person named in the writ, of *habeas corpus* is not in his custody or power, and was not so at the time of the service upon him of the writ, he shall be excused for not producing the body of such person, unless the court or judge shall, on hearing, order him to produce it, in which case it shall be his duty so to do.

9. It shall be the duty of the court or judge, before whom a writ of *habeas corpus*, shall have been made returnable, having reasonable notice of the fact, to attend at the place appointed for the return of the same or procure some other judge to do so, for the purpose of receiving the same ; and it shall be the duty of any judge who shall agree to act for another judge in such a case, to keep his appointment ; and an action shall be maintainable against any judge neglecting his duty in this matter.

10. If any writ of *habeas corpus*, is not returned at the time and place specified therein, it shall be the duty of the court or judge, upon the production of the duplicate copy, and of sufficient evidence, that it has been served so as to give reasonable notice to the party, to whom it is directed, to enable him to comply with the same, of which the said court or judge shall have full power to inquire and decide, to issue a writ of arrest against the person, to whom such writ was directed, and when brought before such court or judge, to punish him by fine, imprisonment, or otherwise ; and also to compel him to produce the body of the prisoner. It shall also be the duty of such court or judge to issue a compulsory writ of *habeas corpus*, directed to the sheriff, or to an elizor, as such court or judge may think proper.

11. If the court or judge, shall think that the person to whom, the writ of *habeas corpus*, shall have been directed, had not reasonable notice of the time and place of return, such court or judge shall appoint another time for the return at the same place, and shall direct what notice thereof, shall be given to the said person ; and the said person, having had such notice, shall be bound to perform such duties, as he would have been bound to perform if he had appeared at the first time of return ; and under precisely the same penalties.

12. Every court or judge, to whom an application is made for a writ of *habeas corpus*, or before whom it is made returnable, shall have full power and authority, either at the time of such application or return, or any other time to inquire, by all the ways and means, in the power of such court or judge, of the situation of the prisoner, and the

probable intentions of the intended defendant ; and may, in the exercise of a sound discretion, issue a compulsory writ of *habeas corpus*, if such court or judge shall think proper so to do, and may direct the same either to the sheriff or an elizor.

13. The form of a compulsory writ of *habeas corpus*, shall be as follows ; but all the regulations of the second section, with respect to the ordinary writ of *habeas corpus*, shall apply to it, except that it need not be issue in duplicate.

Liberia to [insert the name and style of the sheriff or elizor] greeting ; You are hereby commanded to compel [insert the name of the defendant] to have the body of [insert the name of the prisoner] now in his custody, before [insert the name of the court or judge, and, if the latter, his official style] on [insert the time] at [insert the place] together with the day and cause of his detention, in order that he may be discharged from detention, confinement, and custody if it shall appear to the said court [or judge] proper that he should be so discharged. And if the said [insert the name of the defendant] shall refuse so to do, you are to bring the bodies, both of the said [insert the name of the defendant] and of the said [insert the name of the prisoner] before the said court, [or judge] at the time and place aforesaid. And for the better execution of this writ, you are authorized to use force, and to require the aid of all good citizens. You are also required to make known to the said court [or judge] how you shall execute this writ, and to return the same at the time and place aforesaid. Given under my hand [and the seal of the court] this [insert the date.]

14. It shall be the duty of every male above the age of sixteen years, to give aid and assistance to a sheriff or elizor, executing a compulsory writ of *habeas corpus*, whenever he shall be required so to do. And it shall be the duty of such sheriff or elizor to provide a sufficient force to secure execution of every such writ.

15. Whenever the defendant and prisoner, in pursuance of any writ of *habeas corpus*, appear before any court or judge, it shall be lawful for such court or judge, to examine the defendant with oath, and the prisoner and any other person or persons, upon oath or affirmation as the case may require. And if it shall appear proper so to do, such court or judge may either discharge, bail, or remand the prisoner, and may also commit, or otherwise secure the defendant, to answer for slave trading, or any other crime offence or injury, of which such court or judge may suspect him to be guilty.

16. An action of damages, shall lie against any sheriff or elizor, or defendant, who shall make a false return to any writ issued in pursuance of any provisions of this chapter, and against any person, who shall do any act

tending to obstruct or defeat the full effect of any writ of *habeas corpus* whether common or compulsory, and against any person who shall omit to do, any act, which he shall have been bound by law, or promised to do, and which if not omitted, would have tended to promote the execution or effect of any writ of *habeas corpus* common or compulsory. Such action may be maintained, either by the person applying for the writ of *habeas corpus*, or any person intended to be benefited thereby.

17. If any person shall violate any duty imposed upon him by this chapter, an action of damages may be maintained against him, either by the person applying for the writ of *habeas corpus*, or by any person intended to be benefited thereby.

18. In any action given by any provision of this chapter, it shall be lawful for the court, in which such action is brought, or any judge thereof, to issue a writ of arrest without requiring the oath or other proceedings, required in other cases, and such writ of arrest, and all writs of arrest given by this chapter, may issue against a person privileged under the twenty-ninth section of the second chapter. All such writs of arrest shall be discretionary with the court or judge; who may require the case to take the ordinary course, and even then, refuse the writ of arrest as in other cases.

19. No jury shall give less than three hundred dollars damages, in any action grounded on this chapter, except for an omission, nor in that case, against a judge, sheriff, or elizor or other public officer, or any defendant named in any writ of *habeas corpus*.

20. If several actions, be brought by several parties, against the same person, for the same act or omission, and the jury on the trial of the first tried action shall have given a verdict for three hundred dollars or more: the jury in the subsequent actions may give as low damages, as they may think proper; Notwithstanding the provisions of the last section.

21. Whenever an idiot or insane person, shall be arrested upon any writ, either of arrest, execution, or other writ whatsoever; such idiot or insane person, may be brought either by or without a writ of *habeas corpus* before any court or judge, and such court or judge, shall thereupon inquire by the best ways or means in the power of such court or judge, taking the aid of a jury, if necessary, into all the facts and circumstances of the matter; and if the fact of idiocy or insanity, shall be established, shall discharge such idiot or insane person from custody under such writ; and may make such disposition of the person of such idiot or insane person, as may be most expedient under all the circumstances, with reference to the safety and comfort of such idiot or insane

person, and may also make such disposition of the property of the idiot or insane person, as may be just, with regard to the interests of his creditors, and his or her own comfort ; and may declare such idiot or insane person insolvent, and may call a meeting to appoint a trustee, and make an order, transferring to such trustee, the property or such idiot or insane person. Such a trustee shall have the same rights and duties, with trustees appointed under the provisions of the nineteenth chapter.

22. Whenever it shall be alleged, that any person brought before any court or judge, by virtue of any writ of *habeas corpus* is an idiot or insane person, although such person may not have been arrested upon any writ whatever, the court or judge may proceed in the manner authorized in the last section, and do all acts thereby directed or authorized, in order to ascertain the fact and may make such disposition of the person and property of the person, as may be proper, with reference to his or her safety or comfort, and the security of his or her property, and may appoint a trustee and shall notify that fact to the tribunal before which administrators and guardians account, who shall call such trustee to account before it, and shall treat such trustee, in all respects as a guardian of an infant. Such a trustee, shall as much as possible be likened to a guardian, in his duties, rights, remedies and liabilities, in the manner of proceeding against him, and the cause for which proceeding may be had, and in all other respects whatsoever.

23. A writ of *habeas corpus* may be always issued by any court or judge, as a foundation of the proceedings, authorized by the last section, on an affidavit that any person is believed to be an idiot or insane, and may be directed to the person, in whose care such an alleged idiot or insane person may be, without any evidence or allegation, that such idiot or insane person is confined.

BOOK III.

STATUTE LAWS

OF THE

REPUBLIC OF LIBERIA.

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AN ACT REGULATING NAVIGATION, COMMERCE AND REVENUE.

ARTICLE I.

OF THE REGISTRY OF VESSELS.

	SEC.
Liberian vessels name and port painted on her stern; size of letters; to have a flag,—register and sailing license; tax fee &c; &c.,	1
None but vessels owned by a citizen entitled to registry	2
Register, how obtain; forfeiture of the vessels &c., if obtained fraudulently	3
Vessels to be measured and described; certificate of; need not be measured anew	4
Change of the master of a registered vessels to be reported &c., &c.	5
When a vessel shall be transferred, or altered in form or burthen, a new register to be obtain; bill of sale necessary in transfers	6
If the register of a vessel be lost, how a new one may be obtained	7
If the register be retained by former owner, how a new one may be granted, Secretary of the Treasury to supply blank registers; how filed up and returns made	8 9
Penalty for fraudulently obtaining, gorging, counterfeiting, or falsifying any register, sailing license or other document, &c.	10
Officers of the revenue may inspect register, license, &c., penalty for refusing to exhibit such papers, Registry officers, penalty for false certificate or false registry; for receiving greater fees than are allowed by law; or wilfully neglecting to perform any duty in respect to their office	11
Fees for the several duties pursuant to the registry and license of vessels ..	12

It is enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature assembled:—

SECTION. 1. That the owner or owners of all decked vessels, and boats without decks, over the burthen of five tons, belonging to this Republic, shall not sail the same outside of the rivers and ports of Liberia, without first having the name, and port from which such vessel hails, painted on her stern, on a black ground, in white letters of not less than two and a half inches in length, and providing such vessel with a flag of the Republic; (Viz; six red stripes with five white stripes alternately displayed longitudinally. In the upper angle of the flag, next to the spear, a square blue ground covering in depth five stripes. In the centre of the blue one white star:) a register from under the hand and seal of the Secretary of the Treasury, the Register, and of the Collector, of the port from which she may sail, and a sailing license from under the hand and seal of said Collector, under the penalty of five dollars a ton for every such unlawful trip or trips, and all such vessels shall pay a tax of seventy-five cents a ton, per annum, which tax shall be paid by the master or owner of such vessel before the above named license shall be granted.

2. No vessel shall be entitled to registry, or if registered to the benefits thereof, if owned in whole, or in part by any foreigner, or by any citizen usually residing in any foreign country, unless he be a consul or agent for this government.

3. In order to the registry of a vessel, the owner or one of the owners, shall take and subscribe before the registering office an oath, declaring to the best of his knowledge and belief, her name and burthen, the time when, and the place where she was built, if in Liberia: if not that she is foreign built, and that he is the sole, or joint owner of such vessel, naming the other owners if any, and their place of abode, and that he or they so swearing are citizens of Liberia. In case any matter of fact alleged in such oath within the knowledge of the party swearing shall not be true, there shall be a forfeiture of the vessel with her tackle, furniture and apparel, or a sum of money at the discretion of the court, before which the case may be tried, of not less than one hundred dollars, nor more than one thousand dollars, to be recovered with cost of suit of the person making such oath.

4. Before a vessel shall be registered, she shall be measured by the Collector of the port where she may be, or by some person whom the Collector shall appoint: and such measurer shall for the information of, and as a voucher to the officer by whom the registry is to be made, grant a certificate specifying the built of such vessel, her number of decks, and masts, her length, breadth, depth, the number of tons she measures, and such other particulars as are usually descriptive of a ves-

sel, and that the name, and the place to which she belongs are painted on her stern in manner and form required by law; which certificate shall be countersigned by the owner, or the master of such vessel in testimony of the truth of the particulars of the admeasurement &c. therein contained. But in all cases where a vessel has been registered before as a vessel of this Republic, it shall not be necessary to measure her anew for the purpose of obtaining another register—except she shall have undergone some alteration, as to her burthen subsequently to the time of the former registry.

5. If the master of a registered vessel be changed, the owner or one of them shall report such change to the Collector of the port where it shall happen, or where the vessel shall first be after it shall have happened, and shall produce to him the register, and make oath that he believes the new master to be a citizen of Liberia:—whereupon the Collector shall endorse on the register, and subscribe a memorandum of such change, specifying the name of the new master. If such change shall not be reported, or if such oath shall not be so taken, the registry of the vessel shall be void, and the master shall forfeit and pay the sum of twenty-five dollars.

6. When any registered vessel shall, in part or in whole, be transferred to a citizen, or shall be altered in form or burthen, by being lengthened, or built upon, or from one denomination to another, by the mode of rigging, she shall be registered anew, the former register shall be delivered up to the Collector, to be by him transmitted to the Register, who shall cause the same to be canceled;—and in every such case of transfer, there shall be some instrument in the nature of a bill of sale, otherwise such vessel shall not be registered anew.

7. If the register of a vessel be lost, destroyed, or mislaid, the owner or master of such vessel may make and subscribe an oath before the Collector of the port where such vessel shall first be, after such loss, destruction or mislaying, of the facts of the cause; upon such oath being made, and the other requisites of registry being complied with, such Collector shall grant a new register, inserting therein that it has been issued in the room of the one lost, destroyed, or mislaid.

8. On satisfactory proof to the Secretary of the Treasury, that a vessel has been sold and transferred by process of law, and that her register is retained by the former owner or owners he may direct the Collector of the port to which she may belong, to grant a new register, on the purchaser complying with the terms and conditions for granting registers, excepting only delivering up the former register.

9. The Secretary of the Treasury shall prepare and transmit, from time to time, to the Collectors of the several ports in this Republic, a sufficient number of blank registers, exe-

uted in such manner, and with such marks, as he may direct; such blanks shall be tested under the seal of the Treasury Department, to be filled up by the Collectors respectively. The Collectors of each port shall number progressively the registers granted by him, beginning anew at the commencement of each fiscal year, and shall enter in a book, to be kept for that purpose, a memorandum of the issue of every register granted by him, stating the name of the owner or owners, the name of the vessel, her tonnage, denomination, and the number and date of her register; a copy of which memorandum shall be transmitted by him once in three months to the Secretary of the Treasury. Before the delivery of a register, the Collector shall have affixed thereto, the signature and seal of the Register of the country from which the vessel may sail, and shall have recorded in the said Register's office the certificate of the admeasurement of the vessel so registered; copies of such certificates shall be transmitted by the Register once in three months to the Secretary of the Treasury.

10. If any register shall be fraudulently obtained, or knowingly used for any vessel not then actually entitled to the benefit thereof, she with her tackle, apparel, and furniture shall be forfeited to this Republic. If any person shall forge, counterfeit, erase, alter or falsify any register, sailing license, or other document required by this Act, he shall for each offence forfeit and pay one hundred dollars. If any person shall falsely make oath or affirmation to any of the matters required by this Act, he shall suffer like pains and penalties as persons committing wilful and corrupt perjury.

11. Any officer concerned in the collection of the revenue, or the commander of any armed vessel of the Republic, may, at all times, inspect the register or license of any vessel; and if her master shall not exhibit the same when required by such officer he shall forfeit and pay the sum of twenty dollars.

12. Every officer who shall knowingly make, or be concerned in making, any false certificate of registry of any vessel, or other false document whatever, under the provisions of this Act, or who shall designedly take any other or greater fees than are allowed by law, or who shall receive any voluntary reward, or gratuity, for services performed pursuant thereto; and every person measuring a vessel who shall wilfully deliver a false description of such vessel to be registered, shall upon conviction of any such neglect or offence, forfeit and pay the sum of fifty dollars. If any person required by the registering Act in respect to his office, to perform any thing pursuant thereto, shall wilfully neglect to perform it he shall on conviction, forfeit and pay twenty-five dollars to the injured in consequence of such neglect.

13. The fees for the several duties and services to be performed pursuant to the registry and license of vessels, shall be as follows: For admeasuring every vessel in order to registry, if of the burthen of five tons and less than ten tons, one dollar and twenty five cents, if of twenty tons and not exceeding fifty tons, one dollar and fifty cents and of fifty tons upwards, two dollars. For every certificate of admeasurment, fifty cents for every register for vessels over fifty tons, three dollars; under fifty tons, two dollars: open boats, one dollar: one half of said sum to be paid into the Treasury of the Republic, the other half to go the Collector and Register equally. For every endorsement on register, fifty cents: for every sailing license fifty cents.

ARTICLE II.

OF THE SLAVE TRADE.

	SEC.
Piracy—to build, fit, equip, or otherwise prepare a vessel for the slave trade; or any way aiding or abetting such trade &c. &c.....	1
Piracy—to receive or transport any African held as a slave, or intended to be enslaved.....	2
Penalty—for serving on board a Liberian vessel engaged in the slave trade.....	3
Penalty—for voluntarily serving on board a foreign vessel do—do—.....	4
Liberian vessels prohibited from every species of intercourse with slaves.....	5
No citizen, or other person resident in this Republic shall act as agent, or enter into the service of any person engaged in the slave trade,.....	6
Guilty of an infraction of the 6 Sec, if found in the neighborhood of any slave establishment—except &c. &c.....	7
President—authorized to employ the armed vessels of the Republic to cruise against slavers, or others contravening the laws.....	8
Persons—found on board slave vessels, of the officers or crew to be apprehended and taken into custody, &c. &c.....	9
Proceeds of vessels &c. condemned as slavers, equally divided &c. &c..	10

1. No citizen of, or other person coming into, or resident in, this Republic, shall for himself, or another, either as master, factor, or owner, build, fit, equip, or otherwise prepare any vessel to sail from any port thereof, for the purpose of carrying on traffic in slaves. Every vessel so fitted out, or sailing, her tackle, furniture, and apparel shall be forfeited to this Republic; and may be seized, and prosecuted, and condemned in any court having competent jurisdiction; and every person so building, fitting out, equipping, loading or otherwise preparing or sending away any vessel knowing, or intending that she shall be employed in such trade, or

any way aiding or abetting therein, shall be deemed guilty of piracy, and shall suffer such pains and penalties as by law may be attached to the crime of piracy.

2. If any citizen or other person, resident within the jurisdiction of this Republic, shall knowingly take on board, receive or transport from one place to another any African held as a slave, or intended to be enslaved, he, on conviction thereof shall suffer the pains and penalties incurred under the last paragraph of the preceding section; and every vessel in which such slave, or person intended to be enslaved shall have been so taken on board, received, or transported, with the tackle, furniture, apparel, and the goods and effects that shall be found on board, shall be forfeited; one moiety to the Republic, and the other to the prosecutor: and such vessel shall be liable to seizure by any officer of the customs, navy or revenue service of this Republic, and prosecuted and condemned in any court having competent jurisdiction.

3. Any citizen of this Republic or other person residing therein who shall be found serving on board any Liberian vessel employed in the slave trade shall be liable to be, and may be indicted for slave trading, and on conviction, shall be fined in a sum not exceeding one thousand dollars, and imprisoned not exceeding five years.

4. If any citizen of this Republic shall voluntarily serve on board any foreign vessel employed in the slave trade, he shall, on conviction thereof, be liable to, and suffer like forfeitures and penalties as he would have incurred had such vessel been owned or employed in whole, or in part by any citizen or other person within this Republic.

5. All vessels sailing under the flag of this Republic are hereby prohibited from any and every species of intercourse with slaves at sea and otherwise, and are strictly forbidden to trade with them, in any kind of goods, wares or merchandize, or to hold any negotiation or intercourse with them, under the penalty of indictment and fine of five hundred dollars for each offence.

6. No citizen of Liberia, or other person resident within the jurisdiction of the same, shall be permitted to act as agent, or enter into the employ or service of any person engaged in the slave trade, or any person in the remotest degree connected with them under the penalty of indictment, and of being twelve months bound to hard labor in irons, or fined in a sum of not less than five hundred dollars.

7. Any citizen of Liberia being found in the neighbourhood of any slave establishment shall be deemed guilty of an infraction of the 6th section of this article, and shall forfeit or suffer the pains or penalties last above named. But should any citizen, so implicated, show that, he or she, was by accident or distress of weather, thrown into that situation, the President being satisfied of such fact, may admit the

plea, and order the release of the accused party.

8. The President of the Republic may whenever he shall deem it expedient, cause any armed vessel or vessels of this Republic to cruise on any part of the Liberian coast or elsewhere, where he may judge attempts may be made to carry on the slave trade by any citizen or citizens of this Republic, and instruct the commander of such armed vessel to seize, take, and bring into any port of this Republic all foreign vessels, found on the Liberian coast; and all Liberian vessels, wheresoever found, which may, on reasonable grounds, be suspected of being engaged in the slave trade, or otherwise contravening the provisions of this Act, or any of the Acts, of the Legislature of this Republic, to be proceeded against according to law.

9. If any commissioned vessel of this Republic seize and take any vessel employed in the slave trade, it shall be the duty of the commander of such commissioned vessel to apprehend and take into custody every person found on board such vessel so seized and taken, being of the officers or crew thereof, and them convey, as soon as conveniently may be, to the civil authority of this Republic, in some one of the districts thereof, to be proceeded against in due course of law.

10. And the proceeds of all vessels, their tackle, apparel, and furniture, and the goods, and effects on board of them which shall be so seized, prosecuted, and condemned, shall be divided equally between the Republic and the officers and men who shall seize, take and bring the same into port for condemnation.

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ARTICLE III.

OF THE CLEARANCE AND ENTRY OF VESSELS ENGAGED IN DOMESTIC TRADE.

	SEC.
Liberian vessels bound coast-wise master or owner required to deliver manifest of cargo, subscribed and sworn to—	
neglect.....	1
Master or owner or deposit manifest within 24 hours after arrival....	2
Liberian vessel not to break bulk until penalty for neglect.....	3
Vessels without manifest and clearance may be seized. Merchandize not specified on manifest may be seized,—Remedy, &c.....	4

1. The master or owner of any vessel sailing under the flag of this Republic, and bound coast-wise on a trading

voyage shall deliver to the collector of the port from which such vessel shall be about to sail, a manifest of all such cargo on board, by him subscribed, and he shall swear to the truth thereof and other matters in said oath as follows: I ——— master or owner, as the case may be, of the vessel called the ——— bound from the port of ——— on a voyage along the Liberia coast, do solemnly, sincerely, and truly swear that the manifest of the cargo on board the said ——— now delivered by me, and subscribed by my name, contains according to the best of my knowledge and belief, a full and just account of the goods, wares and merchandize now actually laden on board the said vessel ——— I do also swear that I verily believe the duties on all the foreign goods, wares and merchandize, therein specified, have been paid or secured according to law, and if any other goods, wares or Merchandize shall be laden or put on board the said vessel previous to her sailing from this port, I will report the same to the Collector, so help me God. Whereupon the Collector shall grant a clearance upon a duplicate of said manifest, for such vessel and cargo with the above oath endorsed upon its back; and if any vessel as aforesaid shall depart on the voyage without delivering such manifest, and obtaining a clearance, the owner of such vessel shall forfeit and pay the sum of one hundred dollars for every such offence.

2. The master or owner of any vessel sailing under the flag of this Republic, shall within twenty four hours after the arrival of such vessel in any of the ports of entry of this Republic, deposit in the custom house a correct manifest of the cargo on board, stating distinctly what part of said goods, wares, or merchandize were laden on board such vessel, and cleared on her departure from a port of entry in Liberia; and, if any, such as have been received on board at sea, or elsewhere, during her present voyage, and shall subscribe on oath or affirmation before the Collector, or his deputy, to the correctness thereof: until such manifest shall have been deposited, and subscribed as above, it shall not be lawful for any such vessel to break bulk or land any part of her cargo under the penalty of fifty dollars.

3. If upon the inspection of any vessel engaged in the coast trade, by any officer of the revenue service, it shall be found that such vessel is not furnished with an endorsed manifest and clearance as required by the 1st section of this article said officer may seize such vessel and send her without delay to the port to which she belongs, to be proceeded against according to law.

4. Should any vessel engaged in the coast trade upon inspection by an officer of the revenue, be found to have foreign goods or merchandize on board, which are not specified on the manifest of her cargo, said goods or merchandize

shall be seized and confiscated to the government. Nevertheless, on boarding such vessel, should the master, or other person in charge of such vessel, exhibit to the officer a list of such goods or merchandize not enumerated in the manifest, and received on board after her departure from a port of delivery, stating the circumstances under which they were received on board, and that the duties will be accounted for, such goods or merchandize shall not be seized.

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ARTICLE IV.

OF PORTS AT WHICH ENTRY MAY BE MADE, AND GOODS LANDED.

	SEC.
Arriving from foreign port, vessels and cargo entered at port of entry—wishing to trade coastwise furnish declaration of intention—one third of duties paid down—tax fee per ton—trading license and gen. permit—fee for do: penalty for violating do—report to Sec. Treasury—do furnish officer of the revenue—drawback, how obtained Sec.....	1
Ports of entry and delivery.....	2
Manifest for goods from a foreign port—frm &c. &c.—list of passengers	3
Forfeiture for failing to produce manifest &c. &c.....	4
Master required to produce manifest, where and to whom—certificate of officer upon the back.....	5
Penalty for refusal to produce manifest—for false account of destination &c.....	6
Officer to make report to Sec. Treasury—name the vessel and master..	7
Penalty for unloading before proper entry be made—except &c. &c..	8
Vessel entered and papers deposited &c. &c, within 24 hours after arrival &c,.....	9
Consul not deliver register until clearance is produced.....	10
In absence of consul, bonds with securities to be given.....	11
Twelve hours notice before clearance—render an account of goods landed &c, &c—Collector enter in a book all goods.....	12
No goods landed without permit—penalty for neglect.....	13
Persons applying for permit responsible for duties—goods shall be landed between the hours of six A. M. and six P. M.....	14
Must account to Collector for trade made in harbors—Collector may put an inspector on board any vessel.....	15
Vessel attempting to depart etc. before entry—master fined—except 19	

1. No vessel which shall arrive from any foreign Port, nor the cargo on board shall be entered elsewhere than at one of the ports of entry established in this Republic—nor shall such cargo be landed elsewhere than at one of the ports of delivery : Nevertheless said cargo may be landed on any part of the coast of this Republic under the following regulations :

The master, supercargo, or agent of any foreign vessel arriving on the Liberian coast, and wishing to trade at

points beyond the limits of Ports of Entry in this Republic, shall, upon the entry of his vessel, at the custom house and before he commences to unlade any part of his cargo, furnish the Collector of the port at which he enters his vessel, with a written declaration of his intention to trade coastwise, containing the names of the places at which he intends so to trade: and the master, supercargo, or agent shall present to said Collector the invoice or invoices of the entire cargo consigned to him on board his vessel, which shall be entered at the Custom House as a direct consignment, according to the forms and stipulations of the 2d section of the 5th article of this Act, and the tariff duties thereon shall be assessed accordingly. One third of the assessment shall be paid down, the remainder two thirds shall be secured to the Government by bonds with good and sufficient sureties payable in equal instalments at sixty and ninety days after date.

The master, supercargo, or agent aforesaid, shall pay in manner and form, the same annual tax per ton for said vessel as is by the 1st. section of the 1st. article of this Act required for Liberian vessels; and he shall also obtain from the government a license for each trading station. The Collector shall also administer to the master, supercargo, or other person so applying for license to trade coastwise, the same oath that is directed to be administered to masters or owners of Liberian Vessels in section 1st. of the 3rd. Article of this act. When these provisions shall have been complied with,—the Collector shall grant to the said master, supercargo, or agent, a general permit from under his hand and seal of office, naming the points for which trading license have been obtained, and at which the said master, supercargo, or agent is permitted to land the whole or any part of the cargo of his vessel. For each general permit and license so granted, the Collector shall receive a fee of one dollar to be paid by said master, supercargo, or agent.

It shall be the duty of the Collector within three days after the granting of a general permit and license for trading stations according to the above provisions, to forward to the Secretary of the Treasury, a written report, enclosing the declaration and copies of the permit and license thereupon by him granted, containing the name of the vessel, the master's name, tonnage of the vessel, and the nation to which she belongs. Upon the receipt of which, the Secretary of the Treasury shall furnish the commanding officer of the Revenue service with copies of the above mentioned papers and documents.

The master, supercargo, or agent of any foreign vessel entered as above to trade coastwise, who may land any part of said cargo beyond the jurisdiction of the Republic,

shall, on the presentation of a certificate to the Secretary of the Treasury, signed by the master and first mate of such vessel from which said goods or merchandise have been landed, and by them sworn to, stating the articles, quantity of each, where, when, and to whom landed, and said certificate, also signed by two merchants, if any there be, residing at the place or places, where said goods or merchandise were landed and sold; and also a correct account or accounts of all goods or merchandise landed within the jurisdiction of this Republic, stating the different articles, and quantity of each so landed, and to whom delivered at the different places along the coast, receive from the Public Treasury, on warrant from the President, a drawback of the amount of duties arising upon the goods or merchandise thus landed beyond the jurisdiction of the Republic, less twelve and a half per centum.

All goods or merchandize landed in violation of these provisions shall be forfeited, and the master or owner so landing such goods or merchandize, shall, upon conviction thereof, before any court having competent jurisdiction, forfeit and pay the sum of one thousand dollars for each and every such offence.

2. Monrovia, Marshall, Grand Bassa and Sinoe, are declared to be ports of delivery. Every port of delivery shall be a Port of Entry.

3. No goods, wares or merchandize shall be brought into this Republic from a foreign place, in any vessel, unless the master of such vessel shall have a manifest in writing, signed by him, containing the names of the places, where the goods or merchandize in such manifest mentioned, shall have been respectively taken on board, and the places in Liberia for which they are respectively consigned: particularly noting the goods destined for each place, the names of the persons to whom they are consigned agreeable to the bills of lading, unless when the goods are consigned to order, when it shall be so expressed: He also furnishing a list containing the names of the passengers on board, distinguishing whether cabin or steerage passengers.

4. If any goods or merchandize be imported into this Republic in any vessel, whether Liberian or foreign, from any foreign place without having a manifest on board, agreeable to the foregoing directions; or which shall not be included therein, or shall not agree therewith, the master of such vessel shall forfeit and pay a sum of money, equal to the value of the goods not included in the manifest: and all such merchandize not included in the manifest, belonging or consigned to, the supercargo, master, mate, officers or crew of such vessel, shall be forfeited, unless it be made to appear to the satisfaction of the Collector, or to the satisfaction of the court before which a trial shall be had, cons.

cerning said goods, that no part of the cargo had been unshipped since first taken on board, except such as shall have been particularly specified and accounted for in the report of the master to the collector, and that the manifest had been lost or mislaid without fraud or collusion, or that they were defaced by accident, or incorrect by mistake when the forfeiture shall not be incurred.

5. The master of every such vessel laden with goods or merchandize, and bound to any port in this Republic, shall on this arrival within four leagues of the coast, or within any of the bays, harbors, ports or rivers thereof, upon demand, produce the manifest which he is required to have, to such officer of the customs or revenue service, as shall first come on board for inspection: and shall deliver to him true copies thereof, which shall be provided and subscribed by the master. The officer to whom the original manifest shall have been so produced, shall certify upon the back thereof that it was so produced, and the day and year on which it was so produced, and that such copies were to him delivered and by him examined with the original manifest.

6. If the master of a vessel so laden, and bound to any place in this Republic, shall not upon his arrival within four leagues of the coast, or within the limits of any port of delivery thereof, where the cargo of such vessel or any part thereof is intended to be discharged, produce the manifest heretofore required, to the proper officer upon demand thereof, and deliver such copies in each case: or shall not deliver an account of the true destination of such vessel, which he is required to do upon request of such officer; or give a false account of such destination of the manifest, such master shall forfeit for every such neglect, refusal, or offence a sum not exceeding five hundred dollars.

7. The officer who may apply to the master having the charge or command of such vessel, respecting any of the foregoing provisions, and who shall not receive full satisfaction therein, shall make return in writing of the name of the vessel and master so offending in any or all of the particulars required, immediately, or as soon after as possible, to the Secretary of the Treasury.

8. If after the arrival of any such vessel so laden with goods or merchandize within the jurisdiction of this Republic, any part of the cargo of such vessel shall be unladen for any purpose whatever, before she come to the proper place for the discharge of her cargo, or some part thereof, and be there duly authorized by the proper officer of the customs to unlade the same—the master of such vessel shall forfeit and pay the sum of one thousand dollars for each offence, and the goods or merchandize so unladen shall be forfeited—excepting in the case of some unavoidable accident,

necessity or distress of weather ; of which the master of such vessel shall give notice to, and, together with two or more of the officers or crew on board such vessel, shall make proof upon oath before, the Collector of the district within the limits of which, such accident, necessity, or distress shall happen.

9. The master of any foreign vessel anchoring in the port of this Republic, shall, within twenty four hours from the time of his anchoring, enter his vessel at the Custom House, by exhibiting his register or other documents in lieu thereof, together with the clearance and other papers granted by the officers of the Customs, at her departure from the port from which she may have arrived ; and if said master has not before exhibited his manifest and furnished copies thereof as required by the 5th section of this Article, he shall, on the entry of his vessel, exhibit to the Collector a correct manifest of the cargo on board his vessel, and furnish the Collector a copy of such manifest subscribed by said master, and certified by the following oath, to be administered by the Collector, copy You do solemnly swear in the presence of Almighty God, that the manifest of cargo now exhibited by you, is a just and true account of the goods and merchandize on board of your vessel called the——according to the best of your knowledge and belief. All articles of cargo not specified in the manifest shall be liable to seizure and confiscation. The manifest so delivered shall be filed in the office of the Collector, to be exhibited in evidence against said vessel, should it afterward appear that there are other goods or merchandize on board ; or that goods have been landed from such vessel, not specified in said manifest. Until such entry has been made, and verified as above, it shall not be lawful for said vessel to commence to unlade any part of the cargo on board, under the penalty of the seizure of such goods so landed, and a fine of one hundred dollars, recoverable from the master so offending : and it shall be the duty of the master within twentyfour hours after such entry, to deposit the paper mentioned in the first paragraph of this section, with the consul or vice consul of the nation to which the vessel belongs, and to deliver to the Collector a certificate of such consul, or vice consul that they have been so deposited, and such master who shall fail to comply with this regulation, shall, upon conviction thereof before any court of competent jurisdiction, be fined in a sum not less than one hundred dollars.

10. No foreign consul shall deliver to the master of any foreign vessel the register and other papers deposited with him pursuant to the 9th section of this article, until such master shall produce to him a clearance, in due form, from

the Collector of the port where such vessel has been entered and any consul, or vice consul offending against this provision, shall upon conviction thereof before the supreme Court of this Republic, be fined at the discretion of the said court, in a sum not less than five hundred dollars.

11. Where there is no consul, or vice consul, or other agent resident in Liberia to represent a nation, every master of a vessel belonging to such nation, shall, before he commence to unlade or land any part of his cargo, give security to the Collector, either by the deposit of funds in his hands, or by bond with good securities to ensure the revenue against loss by fraud, or attempt to resist, or violate the laws established to regulate commerce.

12. The master of every foreign vessel, having transacted business in the ports of this Republic, shall give at the Custom House at least twelve hours notice of his intention to depart. He shall render a just account of all goods and merchandize landed from his vessel and shall verify the same by the following oath, to be administered by the Collector: You do solemnly swear in the presence of Almighty God, that the list or account now presented to the Custom House, is a just account of the merchandize or other goods landed by you at this port according to the best of your knowledge and belief, so help you God. The Collector shall thereupon immediately assess the duties, adding thereto all other dues and charges established by law: and when he shall have received the amount, he shall return to the said master, where bond or deposit has been made,—his bond or other deposit for security, and grant said vessel a clearance. It shall be the duty of every such master to render into the Custom House, upon clearing his vessel, a just account of the amount of specie and African produce received on board; stating the kind of produce, and qualities of each kind, as well as the names of all persons who are about to take passage in his vessel; all of which statements shall be regularly entered by the Collector in a book provided and adapted for the purpose to be called *export-book*. It shall be the duty of the Collector to enter all goods and merchandize brought into the Republic in a book provided for that purpose, to be called *import-book*.

13. No goods or merchandize shall be landed from any vessel or boat without a permit to be obtained thereof from the Collector of the port where such goods are to be landed under a penalty of twentyfive dollars, to be recovered from the master, and the forfeiture of the goods so landed, in each and every case.

14. In all cases the person or persons applying for permit to land good or merchandize, shall be held for the amount of duties on goods or merchandize landed under

said permit. No goods or merchandize shall be landed from any vessel before the hours of six o'clock in the morning nor after six, past meridian, under a fine of twenty dollars recoverable from the master, and the forfeiture of the goods so landed in each and every case.

15. No trade shall be made in the harbors of this Republic between foreigners and foreigners, nor between foreigners and citizens, without accounting to the Collector of the port where such trade has been made, for the duties arising on the goods so traded; any master, supercargo, or others so offending, shall forfeit and pay the sum of fifty dollars for each offence. The Collector may, whenever he shall deem it to be necessary for the security of the revenue, put an inspector of the customs on board any vessel, to remain on board until such vessel shall have cleared at the Custom House, and if any master shall refuse to receive an inspector of the customs on board, he shall forfeit and pay the sum of one hundred dollars.

16. If any vessel, which shall have arrived within the limits of any port of entry of this Republic, from any foreign place shall depart, or attempt to depart therefrom after having remained in port twenty-four hours, before report of entry shall have been made by the master of such vessel shall forfeit and pay the sum of two hundred dollars; any Collector or other officer of the customs, or the commander of any commissioned vessel of this Republic, may arrest and bring back, or caused to be arrested and brought back such vessel to the port whence she sailed, to be proceeded against according to law. But if it shall be made to appear by the oath of the master, or person next in command, or other sufficient proof to the satisfaction of the Collector, or to the satisfaction of the Court, in which the prosecution for such penalty may be had that the departure, or attempt to depart, was occasioned by distress of weather, pursuit, or duress of enemies, or other necessity, the penalty shall not be incurred.

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ARTICLE V.

OF DUTIES ON IMPORTS.

Regular duty.....	SEC. 1
Extra duty on consignments—verification of invoices or cost of goods	
method of securing duties on direct consignments—time allowed	
for payment of duties—assessments of duties on goods landed from	

transient traders.....	2
Special duty.....	3
Exceptions in favor of immigrants &c.,.....	4
Anchorage and light duty.....	5

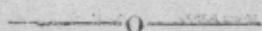
1. The regular impost or customs on goods, wares or merchandize, brought into this Republic, shall be six per centum, subject however, to such exceptions as are provided in the following section.

2. In cases of direct consignment from abroad to citizens of this Republic, or other persons residing within the jurisdiction of the same, the duties shall be assessed on the prime cost, with an additional charge to the regular impost or custom, of two per centum on the amount of importations, to be called an extra duty, shall be clearly distinguished, and kept distinct by the Collector, in a book to be kept for the purpose, in such manner, as may be directed by the Secretary of the Treasury. The citizens of the Republic, or other persons residing within the same, who may receive direct consignments from abroad, shall, on presenting their invoices on which duties are to be assessed, make oath that such invoices invoice or presented, exhibit the prime cost of all goods and merchandize therein named, and the duties shall be assessed on the amounts of each invoice. The method of securing duties on direct importations, shall be the same as is directed in the case of masters of foreign vessels in the eleventh section of the fourth Article of this Act—excepting nevertheless, that when the duties shall amount to one hundred dollars, twenty days shall be allowed for the payment of the same; when to two hundred dollars, forty days shall be allowed, and when over two hundred dollars, sixty, days shall be allowed. The Collector retaining the bond or other deposit for the faithful payment of the same. The actual sales by all masters, or supercargoes of transient vessels, shall be the base of assessment of the duties to paid by them.

3. But all machinery, scientific apparatus, books, horticultural and agricultural implements, seeds and specimens, materials of every description to be used for school-houses or colleges, book-cases, desks, seats for the use of schools—donations of ready made clothing or materials for clothing, when gratuitously distributed, common house-furniture, and utensils for charitable institutions of learning, shall be admitted free of duty. But should any of the articles excepted from duty under this section, be fraudulently brought into this Republic; or should all or any part of the same having been brought into this Republic under this excepting provision, be otherwise appropriated or applied, than as above stated, then and in that case, the same shall be subject to the like duty as articles of a similar kind when brought in for trade: and any person or persons who shall be proven guilty of any such tortuous application of the said excepted articles, or any per

tion thereof, without first giving notice to the Collector and paying the regular duties, shall forfeit and pay a sum of not less than fifty, nor more than two hundred dollars, to be levied and collected under authority of any court of competent jurisdiction, and all the articles thus fraudlently and tortuously applied shall be forfeited to this Republic.

4, All foreign vessels coming to anchor in any port, or harbor of this Republic, shall pay an anchorage and light house duty of fifteen dollars; vessels shall be compelled to pay light house duty at ports only, where there is a light established and kept up; and when a vessel has paid the lawful anchorage at any one port, she shall not be held liable to pay such anchorage at any other port of the Republic during the same voyage.



ARTICLE VI.

OF THE CASES IN WHICH DRAWBACKS SHALL BE ALLOWED

Goods, how landed marked and numbered; and reshipped within three years

SECTION 1. Masters, supercargoes or others, who may wish to land and leave goods or merchandize in any of the ports of entry of the Republic, for sale or storage, shall be permitted to do so under the following regulations: The Collector, or his deputy, shall personally superintend the landing of all such goods, mark or otherwise note the packages, and record in a book the marks and contents of each package, as soon as said goods or merchandize are landed; the Collector shall immediately assess the duties arising on said goods or merchandize, which full amount of duties shall be paid or secured by bond as specified in the eleventh section of the fourth article of this Act, on all articles thus landed,—ardent spirits &c., mentioned in the third article of this Act excepted;—Provided however, that if the said articles are unsold, and re-shipped in the same unbroken packages, and sent beyond the limits of the Republic within three years from the date of the landing; the Collector shall give a certificate to the shipper certifying the same, which certificate when countersigned by the Treasurer or Sub-Treasurer, shall entitle the shipper to receive back three fifths of the duties paid on the goods or merchandize so shipped beyond the limits of the Republic. The Collector shall be entitled to a fee of one dollar and fifty cents per diem for all services rendered under the provisions of this section.

ARTICLE VII.

OF FOREIGN SEAMEN AND PASSENGERS.

	SEC*
None of the crew of a vessel to be discharged and left on shore except by permission of the local authorities.....	1
Deserters from foreign vessels, how to be arrested.....	2
Deserters having committed crime.....	3
Masters taking passengers beyond the limits of the Republic without passport subject to fine.....	4
Method of obtaining Passport.....	5

1. None of a vessel's crew shall be discharged and left on shore without the permission of the local authorities, under a penalty of two hundred dollars; and such permission shall not be granted unless the party to be discharged, shall receive at least two months pay at the time of his discharge.

2. On the application of a master of any foreign vessel for the restoration of a seaman deserting, made in writing, stating that the person therein named, has deserted from his vessel, and on proof by the exhibition of the ships roll, or other official document, that such person belonged at the time of desertion, to the crew of such vessel, any Judge or other officer having competent power to issue a warrant, may cause such person to be arrested on examination, and if the facts stated are found to be true, such person, not being a citizen of Liberia, shall be delivered up to such master on payment of the established fees.

3. If such deserter shall have committed any crime or offence, his surrender may be delayed until the tribunal before which the case shall be depending, or may be cognizable, shall have pronounced its sentence, and such sentence have been carried into effect.

4. Masters of vessels are prohibited from taking on board or giving passage to any individual residing within this Republic without a passport from the Secretary of State unless to be landed within the Republic, under a penalty of not less than one hundred dollars, nor more than five hundred dollars.

5. Any person applying for a passport shall give satisfactory proof to the Secretary of State, that ten days previous notice in some public manner has been given by him of his intention to depart the Republic; whereupon the Secretary shall grant a passport on the payment of fifty cents, provided no legal objection be interposed.

ARTICLE VIII.

OF LICENSES, COMMISSION, RETAIL, &c. &c.

	SEC.
Unlawful to trade without license—price of do.....	1
Exception to this.....	2
Method of obtaining license.....	3

1. It shall be unlawful for any citizen, or other person within this Republic, to sell or barter any goods, merchandize, or vendible property, or transact business for any foreign importer merchant, master, supercargo or owner, on commission, without first having obtained a commission merchant's license, for which he shall pay a tax of fifteen dollars per annum; nor shall any licensed commission merchant, as such, either by himself or another, deal, transact business, or barter, other than in the legal wholesale way: and each retailer shall pay a tax of twelve dollars per annum.

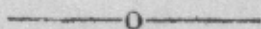
In no case shall a license comprehend more than one place of business: any person or persons, however, may obtain special license for as many places as he or they may choose. Any person or persons wishing to carry on the business of auctioneer, shall pay a tax of sixteen dollars per annum. No person or persons whatsoever, within this Republic, shall engage in commission or auction business, or trade or traffick by selling goods or merchandize for gain, in any way or manner, without first complying with the above provisions, under a penalty of fifty dollars for the first offence, and for the second, double the amount.

2. Nothing in the preceeding section shall prevent any laborer or mechanic, from exchanging other products of his labor, or any farmer the products of his farm, for articles necessary for the consumption of his family: and also for camwood, ivory or other produce, provided always, such exchanges shall be made at the home of the individual making them, or with the merchant at his store.

3. The method of obtaining license under the provisions of this Article, shall be by presenting to the clerk of the court of Quarter Sessions, the receipt of the Treasurer for the amount required as heretofore specified, whereupon the clerk aforesaid shall grant the license applied and paid for. The Clerk shall record all licenses issued by him, and shall receive as his fee for each license, the sum of fifty cents to be paid by person or persons obtaining license. All licenses shall be granted for one year,—to expire on the 30th day

of September in each year ;—nevertheless, should any person or persons apply for license after the commencement of the fiscal year, which is understood to commence on the first of October ; such person or persons so applying, shall be required to pay only a just ratio of the unexpired term of one year.

4. Any person or persons accused of receiving goods, wares, or merchandize in the jurisdiction of this Republic, on which the tariff duties have not been paid ; or in other words, smuggling into the Republic, any goods, or articles chargeable with duties, shall be subject to have the said articles seized by the Collector ; and on conviction thereof the same shall be sold for the benefit of the Republic : and the person or persons, in whose possession such goods, or articles may be found, knowing the same to have been smuggled in to the Republic, shall forfeit and pay four-fold the value of the articles so smuggled, or be committed to the common jail, there to be kept in close confinement until the said penalty, with cost of collection shall be paid.



ARTICLE IX.

OF DUTIES COMMON TO OFFICERS OF THE CUSTOMS.

Duties of Officers—Secretary of the Treasury, Collector, Wharfinger	SEC.
and Attorney General 1 to.....	5
Penalties for forcibly resisting an officer in the discharge of his duty	4
Penalties for failing to collect money when due.....	6
Dues to government in what to be paid. Penalties and pains for violating this act.....	8 11

1. It shall be the duty of the Secretary of the Treasury to see that the Navigation, Commerce, and Revenue laws, are faithfully and promptly executed. He shall under the direction of the President of the Republic, superintend the collection of the revenue arising from imposts, licenses &c. He shall issue all orders necessary to be given to the officers, who may be engaged in collecting the revenue ; he may from time to time, require all Collectors to render in their accounts, and demand from them, and all other persons engaged in the revenue service, all such information, touching the revenue, as may be deemed desirable for the department to have, and make any arrangements compatible with the spirit of this Act ;

2. It shall be the duty of the Collectors of Customs to board every foreign vessel anchoring within the limits of their ports, before such vessel has had any communication with the shore, and on failure thereof, shall pay the sum of

ten dollars. They shall furnish the master or other person in charge of such vessel, with a copy of the port-regulations, for which he shall receive twenty-five cents; and for every neglect to furnish said port-regulations, they shall pay the sum of five dollars. They shall suffer no vessel to unlade any part of her cargo, unauthorized by permit, under the penalty of twenty-five dollars. They shall keep in a book to be provided for that purpose, an accurate account of the arrival and departure of all vessels, and all passengers coming to, or going from their respective ports;—and the imports and exports received or shipped away. It shall also be their duty to enforce the collection of duties before the departure of any vessel from which sums may be claimed; and for every neglect, they shall forfeit and pay the sum of one hundred dollars. They shall make a full return of all the matters and things connected with their office at the close of each quarter, and pay over to the Treasurer, all and whatsoever monies may have come into their hands, and in case of failing to make a report, they shall forfeit and pay the sum of twenty-five dollars. The Collectors of Customs shall be allowed a commission of eight per centum on the revenue collected by them.

3. It shall be the special duty of the Attorney General to see that the license law as specified in the 8th Article of this Act, is strictly observed. Should he fail to prosecute any person or persons to his knowledge violating the provisions of said law, he shall for each case, forfeit and pay the sum of twenty dollars.

4. If any person shall forcibly resist, prevent, or impede any officer of the customs or revenue service, or any person assisting him in the execution of his duty, he shall for every offense be fined in a sum of not less than fifty dollars.

5. In all cases where an officer or other person, charged with the collection of money due the Republic, shall fail through neglect, to accomplish the same, execution shall be issued against him and his sureties immediately; and all officers neglecting or refusing to pay over monies collected on account of the Republic, shall be subject to a summary process for the recovery of double the amount claimed at his hands, to be levied on any goods or property, belonging to him.

6. Should any master, supercargo, or other person in command of any foreign vessel, refuse to pay the established dues authorized to be collected from said vessel, or refuse to pay any fine which may be imposed on him by due course of law, for any infraction of the revenue laws of this Republic, the vessel, or the vessel and cargo, where the cargo is owned by, or consigned to said master, supercargo or other person in command of said vessel shall be liable for the same: and the Collector, Marshal, or other officer whose duty it may be to collect such dues or fines, shall proceed to sell so much of

the same, or any part thereof, as may be necessary to satisfy the amount of such dues or fines, including any additional expense which may be incurred in making such sale.

7. It shall be the duty of the officers of the Customs or any commander of any commissioned vessel of this Republic, to arrest, or cause to be arrested and brought to any convenient port of entry, any vessels found upon the Liberian coast contravening this Act.

8. All penalties and forfeitures, which may be incurred for offences against this Act, shall be sued for, and recovered with cost of suit in the name of the Republic of Liberia. All vessels and goods which shall so become forfeited, shall be seized, libelled, and prosecuted in the proper court having cognizance thereof; such court, shall cause fifteen days' notice to be given of such seizure and libel, with the order of the court thereon, setting forth the time and place appointed for trial, to be inserted in some newspaper published near the place of seizure, of such there be, and also by posting up the same in the most public manner for fifteen days, at, or near the place of trial. If no person shall appear to claim such vessel or goods within that time, she or they shall be adjudged forfeited; but if any person shall, before such judgment, appear and claim—the court shall hear and determine the case according to law.

On the prayer of a claimant, that such vessel or goods, or any part thereof, may be delivered to him, the court shall appoint three proper persons to appraise such vessel or goods, who shall be sworn in open court for the faithful discharge of their duty; such appraisement shall be made at the expense of the claimant, and on return thereof, if he shall with one or more sureties, approved by the court, execute a bond in the usual form to the Republic of Liberia, for the payment of a sum equal to that, at which such vessels or goods, to be delivered to him, are appraised, and such bond shall be lodged with the clerk of the court, said goods or vessel may be delivered to him; and if judgment be for the claimant, the bond shall be canceled,—but if against him as to the whole, or any part of such vessel or goods, and he shall not within twenty days thereafter, pay into the Treasury of the Republic, the appraised value of the portion condemned with costs, the bond shall be put in suit.

If, in any prosecution on account of the seizure of any vessel or goods, judgment shall be given for the claimant, it shall appear to the court before which such prosecution may be had, that there was reasonable cause of seizure, such court shall cause a proper entry to be made thereof and the claimant shall not be entitled to costs, nor shall the person who made the seizure or the prosecutor, be liable to action, suit, or judgment on account of such seizure, or prosecution; but such vessel or goods, shall be forthwith, after judgment, re-

turned to the claimant or his agent.

9. No action or prosecution shall be maintained in any case, unless it be commenced within three years next after the penalty of forfeiture was incurred. If any officer entitled to a share of such penalty of forfeiture, be necessary as a witness on the trial therefore, he may be a witness; but shall not in such case be entitled to, nor receive any part thereof, but the part to which he otherwise would have been entitled, shall accrue to the Republic.

10. The fees for the several duties and services to be performed under the third and fourth Articles of this Act as relate to Customs, shall be as follows:—For endorsed manifest and clearance for a Liberian vessel bound coast-wise, twenty-five cents, if less than fifty tons, and if above fifty tons, fifty cents; for receiving a certificate manifest, and granting a permit to unload at a port of delivery, twenty-five cents, if less than fifty tons, and if above fifty tons, fifty cents; for permit from the Collector, to land goods beyond the limits of a port of delivery, fifty cents; for permit to citizens to land goods consigned to them from a foreign vessel, twenty-five cents for each permit; for a clearance for a foreign vessel and certificate to consul, fifty cents; for inspector who may be placed on board any vessel by the Collector, one dollar and fifty cents a day.

11. All sums of monyes which become due to the Republic under this Act, or by any other means, shall be paid in silver or gold coin at the established value of such coin in the Republic, or in such notes or bills of credit, as may be issued under the authority, and on the responsibility of the Republic; and all payments by the Government, shall be made in the same medium.

ARTICLE. X.

FIXING THE CURRENCY OF THE REPUBLIC, AND AUTHORIZING THE APPOINTMENT OF SUB TREASURERS IN THE COUNTIES OF GRAND BASSA AND SINOE AND A TREASURY OF THE REPUBLIC TO RESIDE AT MONROVIA.

	SEC.
Secretary of Treasury authorized to procure engraved bills.....	1
Mode of authenticating bills or notes.....	2
When lawful.....	3
Authority to issue.....	4
Appointment of Sub-Treasurers and their pay.....	5
Do of Treasurer.....	6

WHEREAS, it would be a great inconvenience to the people of this Republic, to be deprived of an easy circulating medium, and whereas a paper currency, unless based upon specie, and redeemable at par on demand, at the Treasurer depart-

ment, would be detrimental to the interest of the government, and citizens at large,—Therefore ;—It is Enacted.

1. That the Secretary of the Treasury be and he is hereby authorized and requested with the advice of the President to procure as early as practicable for the use of the Government a set of Engraved plates for striking off Engraved bills of five denominations : Ten, Five, Three and one dollars and fifty cents to be used as a paper currency in the Republic, and to obtain suitable paper for the said bills.

2. It is further Enacted.—That the face of said Plates be so engraved as to make the following impressions on the bills stricken off i. e, in the centre and on the upper part of the bill a frontispiece representing a Palm tree with a spade standing at its base and a plough. In the back ground the ocean with a ship under sail ; above the ship a dove on the wing with one open scroll in its mouth ; over the frontispiece the words in large capital letters "THE REPUBLIC OF LIBERIA," on the left hand opposite the frontispiece (No) or number ; across the two ends the denomination of the bill ; coming immediately under the frontispiece the words on demand at the Treasury Department of the Republic of Liberia will pay to bearer in Gold or Silver Coin. Then a denomination of the bill, and then the name of Monrovia, then the figures 185—the date of said bills. Below and near the bottom of the bill and near the left hand corner—the words Secretary of the Treasury—near the right hand corner and, opposite the words Secretary of the Treasury, the word President, on the Fifty cents bill opposite the frontispiece on the right hand be capital letter A.

3. And further, when bills thus specified are properly executed and signed by the Secretary of the Treasury and the President, they shall be the lawful paper currency of the Republic ; any law conflicting with the same, be and the same is hereby repealed.

4. And further.—That the Secretary of the Treasury be and he is hereby authorized and requested to call in all bills or notes now in circulation, and issue others in their place to the amount of eight thousand dollars.

5. That the President be authorized, and he is hereby authorized to appoint Sub-Treasurers in the Counties of Grand Bassa and Sinoe ; said Sub-Treasurers to receive a compensation of three per centum for all monies received and paid out by them respectively.

6. That the President be, and he is hereby authorized with the advice of the Senate, to appoint a Treasurer for the Republic, who shall reside in Monrovia, and whose duty it shall be, to receive and keep all public monies arising from imposts or otherwise ; and shall account quarterly of all his doings, and receive a compensation of three per centum, on all monies deposited in his hands, and paid out by him.

ARTICLE XI.

AN ACT TO AMEND AN ACT ENTITLED AN ACT REGULATING NAVIGATION, COMMERCE AND REVENUE.

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature assembled:—

1. That from and after the passage of this Act so much of the first section of the 1st Article of the above mentioned Act as read “and all such vessels, shall pay a tax of fifty cents a ton per annum,” be so amended as to read, and all such vessels shall pay a tax of seventy five cents a ton per annum.

2. It is further enacted—That so much of the first section of the above named Act as reads, “he shall pay annually, to expire on the 30th of September in each year, the sum of Fifteen dollars,” be and the same is hereby repealed. Nothing is to be construed however to prevent licenses being obtained.

3. That so much of the fifth Article, section fourth, of the above named Act as reads: “There shall be levied, collected, and paid an additional duty of six per centum on the articles next herein-after mentioned;—that is, on Flannel and Woolen clothing, Boots, Shoes, Bonnets, Silks, Ribands, Silk Umbrellas, Gold and Silver wares, and Furniture,—be and the same is hereby repealed.

4. It is further enacted— That the third section of the ninth Article of the forenamed Act be and the same is hereby repealed;—And that the Collector of each port or harbor be and he is hereby authorized and directed to place on board every foreign vessel coming to anchor in any port or harbour of this Republic an Inspector, whose duty it shall be to remain on board such vessel during her stay in that port or harbor—and that it shall be the duty of such inspector to superintend the landing of all goods, wares and merchandize he shall note the marks, numbers, weights or measures as the case may be: the contents of all Casks, Bales, Bundles, Crates, and all kinds of packages, boxes, trunks &c, except where there is freight, and the master or supercargo cannot give the contents: in that case the packages shall be noted and the contents made known to the Collector, or Inspector by the consignee, and he shall deliver a correct account of all goods, wares and merchandize, &c, &c, landed under his supervision, to the Collector, mi-

mediately on leaving such vessel or vessels. He shall not allow any goods, wares merchandize, &c, &c, to be landed from any vessel or vessels in the port or harbor until the master or supercargo of such vessel shall have obtained a permit from the Collector:—And further, every Inspector shall receive for his services fifty cents per diem, from the Government, and fifty cents additional per diem, and his board to be paid by the master or supercargo of said vessel:—and that this amount per diem shall be paid by the master or supercargo to the Collector before his clearance is obtained from the Custom House.



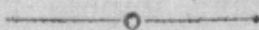
ARTICLE XII-

AN ACT TO AMEND AN ACT ENTITLED "AN ACT REGULATING NAVIGATION, COMMERCE AND REVENUE."

It is enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature assembled:—

1. That from and after the First day of May 1856, after the passage of this act, there shall be collected a duty of *one dollar* per gallon on all ardent spirits, wines, claret, cordials and malt liquor landed in this Republic, and all such articles as shall be landed in this Republic, and all such articles shall be landed under the immediate observation of the Collector, or his deputy, and by him guarded, or the quantity ascertained, on the spot, and the amount of duties thereon paid before it goes out of the hands of the Collector.

2. It is further enacted—That the 3rd section of the 5th Article, and so much of the 8th Article of the Navigation, Commerce and Revenue law as relates to *License* and the retailing of ardent spirits, be, and the same are hereby repealed.



JUDICIARY.

ARTICLE I.

AN ACT ESTABLISHING THE JUDICIARY, AND FIXING THE POWERS COMMON TO THE SEVERAL COURTS.

OF JUSTICES OF THE PEACE.

	SEC.
Powers of Justices of the peace—do: of Constables.....	1
Immediate execution of judgment by Justice's court—how arrested..	2
Appointment of Justices to visit New Georgia, their pay &c.....	4
Juries, new trials, records and issuing commission to take testimony do not appertain to Justices' courts.....	5
When Justices may issue a writ of arrest.....	6
Courts of record have concurrent jurisdiction with Justices; in what case	7
Appeals from Justices' courts—and how tried in upper court.....	8

Section 1st It is enacted by the Senate and House of Representatives of the Republic of Liberia, in Legislature Assembled :

That all persons who may be commissioned as Justices of the Peace shall be sworn to do the duties of said office according to law ; they shall be conservators of the public peace; shall have power in the name of the Republic of Liberia to issue warrants, to command the seizure and arrest of any felon or violator of the public peace, and commit him, her or them to jail, until legal action can be had in the premises. Unless the offence is capital, if the accused give good and sufficient security to abide his, her, or their trial at the next court having cognizance of the offence, they shall not be imprisoned. All precepts issued by any Justice of the Peace, shall be signed with his proper name as Justice of the peace.

Any Justice of the Peace shall have jurisdiction out of court, without a jury, to try all actions for debt not above thirty dollars ; except specific performance, injunction, and ejectment, and actions for injuries to the reputation, or domestic relations ;—all petty infractions of the peace where the fine is not more than ten dollars : all cases of petty larceny, all actions of trover, trespass, detinue &c, where the amount in litigation is not more than ten dollars : shall administer such oaths as are required ; shall issue process for witness in any case pending before him ; shall arrest and pacify any, and all who go about to break the peace in his presence, and may demand the help of others : shall have power to preserve order in his court, and may impose fines not exceeding five dollars, for contempt, and hold the person offending under arrest during the sitting of the court. *End*

Constables as the ministerial officers of the Justice's Court, shall execute all processes issued by a Justice of the Peace; shall without warrant surpress any riot or infraction of the peace in his presence, shall arrest and bring to justice, all felons and violent offenders against the peace, without a warrant when he has not time to procure one.

2. On all judgments rendered in a Justice's Court, when

required by defendant, and sufficient surety first given, time for payment shall be allowed:—For all sums of twenty dollars, five months; sums under twenty, and over fifteen, four months; under fifteen, and over ten, three months; under ten, and over five, two months; under five, and over two, one month; and all sums under two dollars, ten days. At the expiration of the time above allowed, execution may issue immediately against the defendant and his surety, by virtue of which, the officer may levy upon the goods and chattels, first of the principal, and in case of deficiency, then of the surety to an amount sufficient to liquidate the debt, interest and costs: And after ten days notice by public advertisement shall proceed to sell the same to the highest bidder, for cash; and should he by the sale make a sum exceeding the amount for which he claims, he shall forthwith pay the surplus over to the defendants. And all judgments rendered in a Justice's Court, shall be recorded on the original precepts, and all judgments, and all executions on judgments not so rendered, shall be null and void; but in all cases, either party shall have the privilege for an appeal to the ensuing monthly court, by paying the costs, and giving security, sufficient to indemnify his opponent for any loss he may sustain, in case he fails to prosecute his appeal to effect.

3. The President is hereby authorized to instruct one of the Justices from either of the towns or villages in Montserrado County, to visit the settlements of New Georgia, once in two weeks, to assist the Magistrates of New Georgia in the determination of such cases either of a civil or criminal character, as may from time to time be brought under the notice of Justices there; That it be left to the discretion of the President whether he will fix any particular day for the session of said Justice's Court in said settlement of New Georgia or whether he will send said Justice by notification, or whether he will assign it as the exclusive duty of any particular Magistrate; That nothing in the foregoing section shall be construed to prevent the resident Magistrates or Justices of new Georgia, from arresting offenders against the laws of this Republic, or of suppressing disturbers of the public peace; in such cases the said Magistrates shall have all the authority which they have hitherto possessed.

The President is hereby authorized to pay from the public Treasury the Justices so sent to New Georgia for each and every trip so made, the fee regularly allowed by law: and the Magistrates of New Georgia shall be allowed in all cases which they may be lawfully engaged in determining the same fees they are now entitled to.

5. Nothing that relates to juries, new trials and records shall apply to cases tried before Justices of the Peace. Issuing commissions, on petition, testimony without the Republic, shall not extend to Justice of the Peace; but either party may petition

the court to which an appeal from a Justice lies, for a commission; and such court may, if they think proper, issue a commission, and stay the proceedings of the Justice until it can be executed. Writs of execution, may be issued by a Justice of the Peace, returnable before a superior court; and such court or any Judge thereof, shall have jurisdiction to proceed according to law in such cases made and provided.

6. No Justice of the peace, shall have authority to issue a writ of arrest against a defendant in an action, as such, or a writ of execution containing a clause of arrest, except writs of execution issued under the last section, and agreeably to its provisions. A Justice of the Peace shall have power as a court, to punish those who obstruct the execution of writs issued by him, or who disobey his summons, or refuse to perform the duties for the performance of which they are summoned; in all such cases, he may issue writs of arrest, and all persons imprisoned by him, may, in the discretion of any court or Judge, be discharged upon a writ of *habeas corpus*.

7. Courts shall have concurrent jurisdiction with Justice of the Peace, in all actions for personal injuries, in which a Justice of the Peace has jurisdiction. If an action, not for personal injury, be brought into a court, which ought to have been brought before a justice, the court shall, if the Plaintiff establish a claim, deduct from the debt or damages, the whole costs incurred by the defendant, and give judgment for the balance, without any costs; or if the costs of the defendant, equal or exceed the debt or damages, shall give judgment for the defendant, either without costs, or for the excess of his costs, as the case may require. If the plaintiff fail, the court shall give judgment for the defendant for full costs.

8. An appeal shall lie from every decision of a Justice of the Peace, to the most inferior court having jurisdiction at the place, at which such Justice lives, or to such other court as may be designated for that purpose by law. No judgment of a justice of the Peace shall be set aside for error in form; but all appeals from Justices, shall be taken up by the court to which they are made anew, and upon the merits, of the case, and such judgment given as the Justice ought to have given.

ARTICLE II.

OF THE MONTHLY AND PROBATE COURT

	SEC.
How composed—power—prerogative—have record of wills—are courts of	
record—Sheriffs are the ministerial officers.....	1
Duties of the Registers.....	2

Duties of Chairmen—when absent, who shall discharge them—time of meeting..... 3

(1) *here*
 1 The Courts of Monthly Sessions now established in each of the counties of this Republic, shall henceforth be composed of a Chairman and two Justices of the Peace; and shall have original jurisdiction in all cases of debt of more than thirty dollars, and not more than two hundred dollars, in all cases of misdemeanor equal to petit larceny, in all actions of trespass, trover, slander, detinue, ejectment, &c., where the amount in litigation is not more than \$ 20, nor less than \$ 10; all infractions of the peace where the fine is more than \$ 10, and not less than \$ 20, and shall be competent to judge both the law and the facts in such cases. *end*
 Said courts shall have inquisitorial power to judicially examine all cases of criminals committed by Justices of the Peace, examining the evidence only on the side of the State; in all cases where the evidence is not sufficient to put the person accused on his trial, may discharge the suspected person, and where evidence appears, may allow the suspected party to give good and sufficient security for his or her appearance at the Court of Quarter Sessions. to abide his or her trial. *end*
 Said court, shall have power to punish for contempt in a fine of not more than twenty dollars, and imprisonment during its sitting, and shall further have the management and care of the estates of orphans not otherwise provided for; and shall be a court of probate; and said probate court shall cause the probate of any will, or testamentary paper that shall possess the features of one;—shall have a record of wills proven in that court. *end*
 Contested wills shall be sent to the Court of Quarter Sessions to be tried by jury, upon its merits, and by them either rejected, set aside, or quashed, or approved: and if rejected, the same may be removed by appeal to the Supreme Court on petition made by any person aggrieved, according to the laws which relate to appeals; and if found valid, shall be sent back to the probate court to be placed on its records. Said court shall grant letters of administration and shall have all the power necessary to settle estates; and to do all other matters and things of a court of probate.

The clerk of the said monthly court shall keep a record of all matters and things ordered and transacted by said court in a book or books provided for that purpose; note or proof of wills or other conveyances of property in said court, and deliver all such papers after being so noted, to the Register for recording; he shall issue leading processes, writs and subpoenas signed with his own name as clerk, and directed according to law: shall record all issues and returns made by the officer to whom they were directed, he shall summon six days before the term of each session, the Justices

who are to be associated with the Chairman, and the Justices shall be summoned in rotation. The Sheriff of the county shall be the ministerial officer of the said court; he shall serve all writs, take bail, and carry the judgment of court into execution.

2. The Register shall record all documents and instruments relating to the security and title of public or individual property—Government grants, patents, contracts, commissions and other papers, which are properly matter of record, and to which the Republic shall be a party. He shall receive papers of record from the County Clerk, register and file them in alphabetical order, that they may at all times be in safe keeping in his office and accessible to persons desiring to examine them. And every volume of records when full, shall be delivered by him to the Secretary of State for preservation among the archives of the Republic.

3. The Chairman of said court shall not exercise the functions, nor perform the duties of a Justice of the Peace— but his duties shall be confined exclusively to the Court of which he is Chairman; and whenever a vacancy shall happen upon the bench of the Monthly Court, by the absence of the Chairman, it shall be the duty of the Magistrate present, whose commission bears oldest date, to fill the vacancy; he taking care to distinguish between his acts, and those of the regular incumbent, by adding to the signature of his name the words "*Pro tem.*" Notwithstanding his official acts shall be equally valid within the Jurisdiction of said court.

The Monthly Court for the County of Montserrado shall meet on the first Monday in every month; for the County of Grand Bassa, the third Monday in every month, and for the County of Sinoe the second Monday in every month.

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ARTICLE III.

TO PREVENT FRAUD IN THE MANAGEMENT OF INTESTATE AND OTHER ESTATES.

	SEC.
Persons interfering with intestate estates render themselves liable.....	1
Probate courts to appoint administrators—duty and compensation....	2
Estates of Chairmen and Clerks Probate courts—mal-administration of administrators how punished.....	4 6

1. No person or persons shall meddle, or interfere with the estate of any person dying intestate, (except to take true and correct inventories of all the real and personal estate) un

less authorized so to do by the Court of Probate, for the county wherein, such intestate resided : and any person so doing, shall thereby become liable for the payment of all the debts due by the deceased, and for the respective shares of all the natural or legal heirs to such estate.

2. When any person shall die intestate, it shall be the duty of the Probate Court, to appoint an administrator, or administrators who shall give bond and security in double the estimated value of said intestate's estate, for the faithful performance of all the duties connected therewith, viz :—He shall make a correct statement of all and singular the property and effects of the deceased,—whatever thereof is perishable, he may sell at auction, after having given notice by advertisement in three of the most public places in the county for the space of twenty days : such sale may, at the discretion of said administrator or administrators, be made at a credit, not to exceed six months, on bond and sufficient securities for the payment thereof : he shall make returns to the next term of the court of his, and all other matters and doings connected with said estate. And should it be found that the said deceased was so indebted, as to make it necessary that a further sale of property should be had, then he shall be ordered by the court to sell any, or all of said estate for the payment of such claims :—And again, should there not after such further sale be enough to meet all the legal claims, then, in that case, a *pro rata* dividend shall be made to all the claimants against said estate.

The compensation allowed such administrator, or administrators, for his or their services shall be a commission not exceeding five per cent on said estate,—*Provided always*, that when it may be necessary, in the recess of the Court of Probate, the Chairman of the said court may grant letters of administration, and orders for sale, as above directed to be done by the court of which he is Chairman.

3. That all estates on which letters of administration have been granted, shall be settled up, and the accounts closed in one year from date of the commission of administration : nevertheless should it be made to appear to the satisfaction of the Probate Court that, owing to there being foreign creditors or debtors, or to any other circumstance, said estate could not be closed in one year without detriment and damage to those concerned, said court shall be competent to grant a longer term, not exceeding six months.

4. It shall be the duty of the Chairman of the several Probate Courts, to see that the Clerks of the Courts keep a roll of all letters of administration which shall have been granted by said courts with the date, names of the grantees, and his or their sureties annexed. They shall cause the several Clerks once in every three months to post up one week eb

fore the first day of the term of the Court in some conspicuous place, a notification, requiring all administrators to appear before the ensuing term of said court to give an account of their doings; and should it appear to said court that any administrator or administrators are acting negligently, or dishonestly; or that the parties concerned in said estate are likely to be damaged by the longer continuance of the management of said estate in the hand of said administrator or administrators, said court shall be competent to revoke the commission, and appoint others in his or their place, and shall order said delinquent, administrator or administrators to deliver up to his or their successor or successors, all and every species of property, books, papers, documents, (which may have come into his or their hands,) and copy of all his or their proceedings in the premises without delay. In all such cases the bond of said delinquent administrator, or administrators shall be retained in court, until satisfaction shall have been given to all concerned of his or their doings while acting in the premises.

5. In all cases where any administrator or administrators shall have failed to perform his or their duty in such a manner as to have caused loss, detriment, or damage, to any party, it shall be at the option of any person so sustaining loss, detriment or damage, to enter suit upon the bond in any court competent to try the same, and the process of trial and judgment shall be the same as in an action for debt, excepting that when the assets of the principal shall not be sufficient to make good the loss with the cost of the suit, the sureties shall be liable.

6. It shall be the duty of the Chairman of the several Probate Courts directly after the publication of this Act, to require that all administrators whose commission of administration is of an older date than one year, to settle up and close said estates in three months on pain of forfeiting their bond, unless the qualifying circumstances mentioned in the third section of this Act, shall be made to appear to the satisfaction of the court, when a longer time may be allowed according to the provisions of said third section.

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ARTICLE IV.

OF THE COURT OF COMMON PLEAS AND ADMIRALTY.

	SEC.
Jurisdiction and powers—have jurisdiction in cases of Admiralty.....	1
Piracy and of violation of the Revenue laws.....	2
Method of proceedings.....	3

Distribution of shares in cases of seizure.....	4
When in cases of seizure there is a right to a common law remedy.....	5
Meeting of the courts.....	6
Sheriff's coroner's and Marshall's, sales.....	7
Disputed titles to real estate.....	8
Appeals from said courts.....	9
Claims for land from government how disposed of.....	10

here The Courts of Quarter Sessions *now* established in each county in this Republic, shall have one Judge, and shall have trial of prisoners sent from the Monthly Court, and all presentments or indictments, which may be found by the Grand Jury, and shall have power to empanel both grand and petit jury for that purpose; shall have original jurisdiction in all cases of debt when the amount is more than two hundred dollars, in all cases of crime and misdemeanor, above the degree of petit larceny, in all infractions of the peace, when the fine is more than twenty dollars, in all cases of wrong by whatever name called, when the damage claimed is more than twenty dollars, and shall have appellate jurisdiction in all cases going up from the Monthly Court: and shall have power to punish for contempt while sitting in a fine of not more than one hundred dollars, and imprisonment during the sitting of said court. *ago* The Sheriff of the county shall be the ministerial officer of said court while transacting the judicial business of the county; he shall serve all writs, make escorts, summon and return juries take bail, and carry the judgment of the court into execution. *here* The Judge of said Quarterly Court may continue his session two weeks, unless business be sooner dispatched. Said court shall have original jurisdiction in all cases of admiralty, and maritime jurisdiction, of seizure made under the Navigation, Commerce, and Revenue laws of this Republic, and seizures made under any laws of this Republic; in all cases where an alien sues for tort or wrong committed in violation of the law of nations, or any violation of any treaty; in all crimes committed on the high seas; and exercise jurisdiction over all piracies as so declared by, and existing at this time under the law of nations, or which are declared and held to be piracies under the Constitution and several Acts of the Legislature; in all cases of penalties and forfeitures under the aforesaid maritime laws, and in all other matters and things properly belonging to a Court of Admiralty. *end*

x In the case of a vessel or vessels, the Judge of the Admiralty Court shall have power to name a day when the said court shall hold its session to adjudicate the case, giving sufficient time, so that all parties concerned, may receive due notice of the trial according to law. Appeals may be had to the Supreme Court. The ministerial officer in the admiralty jurisdiction of said court, shall be the Marshall or his

deputy, who shall execute all lawful precepts directed to him, shall attend the Admiralty Court while sitting, have power to command the necessary assistance in the execution of his duty; he shall make true returns of all precepts directed to him, shall have custody of all vessels and goods seized by any officer of the revenue, and do all other things proper to be done by the Marshall. The clerk of the said court of Quarter Sessions shall issue leading process, writs and subpoenas, signed with his own name as clerk, shall record all matters and things ordered and done by said court: he shall record all issues, and returns of officers; take minutes of all trials of cases in said court, and all other matters and things, properly a subject of record in such courts: shall issue all processes, enter and record all orders, decrees, judgments, and proceedings, of the Court of admiralty; shall issue licenses, and do all other matters and things proper for a clerk of said court; and when any judge is interested in any cause coming on in the county of which he is judge, the judge of the next nearest county shall be notified to attend said court, and shall preside in all such cases in which the judge of said court is interested; and he shall receive for his services, two dollars a day while sitting, and ten cents a mile for necessary traveling.

2. The proceedings in said court for the trial of all such offenders as may be found, or brought within the limits of the Republic of Liberia, and all other proceedings shall be in accordance with the laws in such cases made and provided.

3. In cases where seizures shall be made by persons not entitled by law to any share, the said court shall have power in its discretion to award such share or proportion as may be deemed proper to such person or persons making such seizure—*Provided*, that in such distribution the Republic of Liberia shall be entitled to such share as is by said laws awarded; and *provided further* that in no case whatever, shall the Judge of said court be entitled to any such prize money.

37 *here* 4. The jurisdiction of said court shall be, and the same is hereby extended to all cases of fraud, or attempts at fraud upon the Revenue laws of said Republic, and it shall decree such penalties, forfeitures or confiscations, as are provided in the several Acts of the Legislature of the Republic of Liberia concerning the revenue thereof. *here*

5. The said court shall have exclusive cognizance of all civil causes of Admiralty and maritime jurisdiction including all seizures under the laws of impost, navigation or trade of said Republic, where the seizures are made on tide waters which are navigable from the sea by vessels of ten, or more tons burthen within the said Republic, as well as upon the high sea—saving to snitors in all cases the right

of a common law remedy, where the common law is competent to give it—and shall also have exclusive original cognizance of all seizures on land or water as aforesaid made, and of all suits for penalties and forfeitures incurred under the laws of said Republic. Said court shall have power from time to time to alter and amend its rules of practice, as may be proper for the orderly transaction of its business.

9. The said court shall be held in the County of Montserado, on the second Monday in March, June, September and December, in every year; and in the County of Grand Bassa, on the fourth Monday of the above named months in every year: and in the County of Sinoe on the first Monday in February, May, August, and November in each year.

7. That in all cases of Sheriff's or Marshall's sale where there are, or may be disputes about the distribution of the moneys arising therefrom, the courts of Common Pleas and the Supreme Court of this Republic, are hereby declared to have full power and authority to hear and determine all such cases according to law and equity: Provided, where any of the persons interested in such distributions, shall not appear the courts shall cause notice to be given them, either personally, or by such advertisements as they may deem proper, prior to making the decision.

8. That in all cases of disputes as to the validity of title to real estates, where it appears fraud or collusion has been attempted or practised, by a fraudulent double conveyance of the same premises, said court shall have the power to determine the same according to law and equity, and to deliver an equitable award in the case, and to relieve the innocent and oppressed.

9. That in all cases which shall be decided by the court of Common Pleas with or without the intervention of a jury, if any person or persons shall consider him, her, or themselves aggrieved by such decision, they may appeal to the Supreme Court within twenty days after such decision, which appeal shall be subject to the same rules and regulations as in other cases of appeals; and the said Judges of said Supreme Court, are hereby authorized to affirm or reverse the decision of said court of common Pleas, and award such other decision as in their opinion will best conduce to the ends of justice and equity.

10. And it is hereby declared to be the duty of the Judges of the Courts of Common Pleas, and they are hereby authorized to hear and determine all claims for land from the government, and said Judges are authorized when the case shall require it, to issue a writ of *venire facias* to try and determine the case according to law and fact.

11. Defendant or defendants who shall have been summoned fifteen days before the first day of the court to which a return is to be made, shall be deemed to have been legally

summoned, and be compelled to answer the plaintiff, provided the plaintiff shall have filed his complaint in the clerk's office at least fifteen days before the session of the court. Nevertheless, when the peculiar circumstances of the case render it necessary, the court may, in its discretion, grant further time to the defendant.

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ARTICLE V.

OF THE SUPREME COURT.

SECTION 1. The Supreme Court shall consist of a Chief Justice and three associates two of whom with the Chief Justice shall be a quorum: they shall hold annually in the city of monrovia to commence on the second Monday in January one session of said court, and shall sit until the business of the court shall have been disposed of. The Judges of the courts of Quarter Sessions shall sit with the Chief Justice at each session of said court; and the Chief Justice shall, before the first session of the court, notify the, two Justices to sit at the first session of court; and at that session he shall notify one of the Judges who sit at the first session to sit at the second session with the one who did not sit, and therefore, the associate judges shall take their seats in the Supreme Court in regular order, two sitting, and one out at each term. Should the Chief Justice be interested in any case or cause, the three judges of the Courts of Quarter Sessions shall form the Supreme Court; and their acts, proceedings and decisions, shall have all the force, and validity as though the Chief Justice had presided. the one whose commission is the oldest shall preside; and should one of the associate judges be interested in any case when it is his turn to sit, his place shall be supplied by the other judge, and all decisions of said court shall be final. In any case in which two of the associate Judges of the Supreme court shall be concerned, the Chief Justice and the other associate Judge shall be, and they are hereby made competent to preside over the proceedings in the case: and their acts, proceedings and decisions, shall have all the force and validity, as if the two associate Judges had presided with the Chief Justice.

ARTICLE VI.

DEFINING CERTAIN CRIMES, AND RELATING TO THE PUNISHMENT OF CRIMES.

	SEC.
Crimes rendering the convicted party ineligible to office.....	1
Commutation of pecuniary penalty into public labor	2
Convicts of certain crimes may be hired out, how—when, and how to be kept.....	3
Definition of grand and petit larceny.....	4
Laws of the Republic.....	5

1. That no person who shall have been convicted of theft, burglary, robbery, or any other misdemeanor, punishable by imprisonment, shall ever after enjoy the elective franchise, or be eligible to any office in this Republic, or give evidence in any court of justice, or acts as jurymen, unless specially restored to the rights and immunities of citizenship by a public act of the Legislature, after having given sufficient evidence of repentance and reformation.

2. Any person or persons punished by fine in any of the courts and put to public labor to satisfy said fine and costs, shall be allowed the sum of six dollars per month; until said fine and costs be satisfied.

3. All persons convicted of any crime punishable by imprisonment and hard labor on the public works, may, at the discretion of the court, be ordered to be hired out by the Sheriff of the County, publicly before the door of the court house, on the first Monday after the adjournment of the said court, to the highest bidder, for the term of his or her sentence, on the condition the said prisoner shall not be allowed to go at large in the streets without being secured by a chain.

4. Any person suffering a prisoner, that may be in his or her possession for the time of such prisoner's serving, to go at large in the streets without being secured by a chain of sufficient strength to keep the prisoner, he or she shall be subjected to a fine of not less than ten, nor more than fifty dollars, at the discretion of the court. And further, it shall be the duty of sheriffs and constables to arrest all culprits that may be seen at large in the streets, and to enter prosecution against the person or persons in whose charge such prisoners were. And should any sheriff or constable neglect or refuse so to do, he shall be subjected to a fine not exceeding fifty dollars.

5. Theft in which the property stolen shall not be more than three dollars is petit larceny, and quarreling, rioting, drunkenness sabbath breaking, profanity, and lewdness are infractions of the peace.

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6. Theft in which the property stolen shall be more than three dollars, is grand larceny; and all felonies under this act may be punished in pursuance of judicial sentence by imprisonment, either in irons or not, or by a term of labor in chains on the public works.

In no case shall the sentence of death be carried into execution, but by warrant, under the hand and seal of the President, directed to the proper Officer appointed to carry the sentence into effect.

7. The present criminal laws now in force in the Republic and such others as may from time to time, be enacted, shall constitute the criminal code of the Republic; such parts of the common law, set forth in Blackstone's Commentaries, as may be applicable to the situation of the people, except as changed by the laws now in force and such as may hereafter be enacted, shall be the civil code of laws for the Republic.

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ARTICLE VII.

AN ACT ENTITLED, "AN ACT TO AMEND AN ACT ENTITLED, AN ACT ESTABLISHING THE JUDICIARY AND FIXING POWERS COMMON TO THE SEVERAL COURTS."

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled:—

1. That in every case, in which the defendant or defendants shall have been tried and convicted for Petit Larceny, he, she or they shall be fined in any sum not exceeding the cost of conviction, and shall make restitution four fold the value of the article stolen, and one half of said amount shall go to the Republic, and the other half to the person robbed. And if the person or persons so convicted be unable to pay the fine and make restitution as provided in this section, he, she or they may be adjudged by any two Magistrates (concurring) to be hired out by the Constable at the discretion of the Magistrates for a term sufficient to liquidate the whole amount of cost and restitution. Provided, however, that, in case person or person so adjudged cannot be disposed of on the terms mentioned above, the said Justices shall have power to commit him or them to the common jail there to be held to labor on Public works, and such other work whether for private individuals, or not, as will pay the Government for the cost of his detention, provided such person or persons be confined for a term of not

longer than three months, nor less than one month.

2. In all cases of Grand Larceny, the court before which such defendant shall have been tried and convicted, shall have authority at their discretion to order the said person to give bond and approved surety within twenty four hours for the faithful payment of any sum in which he, she or they shall have been fined, of not less than four fold the value of the article stolen, one half of said amount going to the Republic and the other half to the person robbed, and to be paid within twenty days after the judgment of the court shall have been rendered, and in case of failure to give bond in twenty four hours, the defendant or defendants shall be immediately imprisoned by the sheriff or his deputy, and on the next monday immediately ensuing, shall be hired out before the court house door to the highest bidder for any term sufficient to liquidate the fine with all costs and charges therewith connected. And in case the Sheriff shall fail in his efforts to hire out such convicted person or persons, he shall forthwith commit him, her or them to jail to be held to labor on the Public works under the supervision of the jailor,—they may also be used to work for private individuals when there is no public work, they paying for the same.

3. *And it is further enacted* that the 7th : Section of the 5th : Article entitled an act establishing the Judiciary be and the same is hereby repealed.

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ARTICLE VIII.

RELATING TO OFFENDERS ESCAPING FROM ONE COUNTY AND GOING INTO ANOTHER :

SEC.

Warrant issued in one county may be endorsed by an Alderman or Justice in another and served.....	1
No action lies against Alderman or Justice so endorsing.....	2

1. In case any one against whom, a warrant may be issued, by any Alderman of any City, or Justice, or Justices of any County in this Republic, for any offense there committed or done shall escape, go into, reside, or be in any other City or County out of the jurisdiction of the Alderman, Justice, or Justices of the City or County granting such warrant as aforesaid, it shall be lawful for, and it is hereby declared to be the duty of of any Alderman, Justice, or Justices of the City or County where such person shall escape, go into, reside, or be, upon proof being made upon oath, or affirmation, of the hand writing of the Alderman, Justice, or Justices, granting such warrant, to endorse his or their name or names on such warrant, which shall be sufficient authority to the person or persons bringing such warrant

to and all other persons to whom such warrant was originally directed, to execute such warrant in such other City or County out of the jurisdiction of the Alderman, Justice or Justices, granting such warrant as aforesaid, and to apprehend and carry such offender before the Alderman, Justice, or Justices who endorsed such warrant, or some other Alderman, Justice, or Justices of such other City or County where such warrant was endorsed, and in case the offense for which the offender shall be so apprehended as aforesaid, shall be bailable in law, by an Alderman or Justice of the Peace, and such offender shall be willing and ready to give bail for his or her appearance at the next session of the court proper to try the case, to be held in and for the County where the offense was committed; such Alderman, Justice or Justices, of such other City, or County, before whom such offender shall be brought, shall take bail of such offender for his or her appearance at the next session of the court proper to try the same, to be held in and for the City, or County where such offense was committed, in the same manner, as the Alderman or Justice of the Peace in the proper City or County might have done; and the said Alderman, Justice or Justices of such other City or County, so taking bail as aforesaid shall deliver or transmit such recognizance and other proceedings to the clerk of the proper court where such offender is required to appear by virtue of such recognizance. And such recognizance and other proceedings shall be as good and effectual in law, to all intents and purposes, and of the same force and validity, as if the same had been entered into, taken, or acknowledged before an Alderman, Justice or Justices of the Peace, in and for the proper City or County where the offense was committed, and the same proceedings shall be had therein. And in case the offense for which, such offender shall be apprehended in any other City or County, shall not be bailable in law by an Alderman or Justice of the Peace, or such offender shall not give bail as aforesaid, to the satisfaction of the Alderman, Justice, or Justices of the Peace before whom such offender shall be brought in such other City or County, then the Constable or other person so apprehending such offender, shall carry and convey such offender before one of the Aldermen or Justices of the Peace of the proper City or County where such offense was committed, there to be dealt with according to law.

2. No action of trespass or false imprisonment, or information, or indictment shall be brought, sent, commenced, exhibited, or prosecuted, by any person or persons whomsoever, against the Alderman, Justice or Justices who shall endorse such warrant, for or by reason of his or their endorsing the same: such person or persons shall be at liberty

to bring or prosecute his, her, or their action or suit against the Alderman, Justice or Justices, who originally granted such warrant in the same manner as such person or persons might have done in case this clause of this Act had not been made.

ARTICLE IX.

PERTAINING TO ATTORNEYS.

SECTION 1, No person shall be allowed to plead, implead or prosecute as an attorney, before any court of this Republic but such as shall be regularly licensed, by the courts : and such license may at any time be withdrawn, where any indecorous language is used by the person towards either the court or jury.

The sum of fifteen dollars shall be paid by each and every attorney for his license, into the public treasury, and fifty cents to the Clerk of the Court for drawing said license, and such license shall be signed by the Judge of the Court and recorded by the Register.

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ARTICLE X.

RELATING TO OFFICIAL MISCONDUCT.

	SEC.
Judge guilty of official misconduct, how suspended.....	1
Justices of the Peace failing to attend to complaints &c.....	2
Clerks of Courts, for neglects, how proceeded against.....	3
Sheriffs failing to make returns,—penalty for.....	4
Coroners subject to same liabilities.....	5
Constables, their duty, and forfeiture for neglect.....	6
Officers restricted in regard to natives &c.....	7
Clerk or Register neglecting to record wills &c,—penalty.....	8
Officers not named, how proceeded against.....	9

1. That any person holding the office of Judge under the appointment of the Government of this Republic, who shall be guilty of showing favor and partiality in judgment, or giving counsel in its tendency calculated to impede or hinder the right influence of the law, in rendering justice to them who seek it, or of erecting, aiding, or abetting any factions or tumults among the people, shall on proof thereof before this tribunal be dismissed from office. But it shall be lawful at any time, for the Executive to suspend such offi-

cer, on proof of either of the above offences, until the Legislature can take cognizance of his case.

2. If any Justice of the Peace, shall fail in attending to such complaints as may be laid before him, by withholding a precept when required to be issued by him, or give counsel so as to turn aside the right of any person, or perversely render a wrong judgment in any case at issue before him, on proof thereof, made before His Excellency the President, he shall be dismissed from office, and be liable to such other penalties as may be attached to the crime for which he is discharged.

3. The Clerks of the several Courts shall observe with punctual exactness the rules and regulations prescribed by law, for all issues proceeding from their offices, so that no writ be subjected to failure of service, and return of "too late to hand." Nor shall they neglect the duties, of their office, so as by their neglect thereof, or absence therefrom, to obstruct, frustrate or hinder by delay, any person in pursuit of justice, under the penalty of ten dollars for each case of issues not made;—twenty dollars for every case of neglect to subpoena or give notice of decrees or forms, and rules ordered in any cases at issue in their several courts;—and fifty dollars for closing their offices, or absenting themselves so that access cannot at all times be thereunto had. Such fines to be levied by execution on the goods and chattels of said clerks, after judgment being had against them.

4. That the Sheriffs of the several counties shall be liable to amercement in the sum of fifty dollars for each and every case of failure to make due returns of any precepts, issued out of any of the courts and to them directed. And for all failures to make returns of monies to the courts issuing out executions, to collect the same summarily, judgment shall be entered up against the said Sheriff, and his securities for the amount with charges of the cost accruing.

5. That the Coroner shall be subjected to the same liabilities and penalties as the Sheriff in all similar cases of delinquencies, in the discharge of the duties of his office.

6. That it shall be the duty of all Constables to present to the Court of Quarter Sessions in a book provided for that purpose, an account of all precepts to them directed, with a statement of of what action has been had on each, under the penalty of twenty dollars; and in default of the proper discharge of their duties they shall forfeit and pay— for neglecting to serve a precept in an ordinary action of debt, ten dollars;—and for neglecting to attempt to pacify any breach of the the peace, or to arrest persons violating the peace they shall be fined at the discretion of any tribunal having cognizance of such malversation in office, according to the magnitude of the offences.

7. That any commissioned or non commissioned officer, or

other person who shall go beyond the limits of the town where he resides, and by force and arms, or threats, interrupt, interfere with, or injure the natives, unless acting under the immediate authority of the Executive power, shall be amerced in a sum of not less than one hundred dollars, and in default of payment shall be imprisoned two years.

8. Any Clerk or Register who shall fail or neglect to note according to law, all wills and testaments, record inventories, accounts of sales, and accounts current, of Executors, Administrators and Guardians, within 30 days after their probate or report, shall be liable to indictment in any court of record of the county, and on conviction, fined at the discretion of the court.

9. All officers not named in the preceding sections, and for whose trial no laws have been made, may be prosecuted before the Court of Quarter Sessions, and on conviction of violation of duty—shall be liable to be displaced from office by the Executive, and subjected to such fines and penalties as such court may impose.

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ARTICLE XI.

AN ACT REQUIRING PUBLIC OFFICERS TO RENEW THEIR BONDS.

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled:—

1. That all public officers, whose duty it shall be to give bond and security, for the faithful performance of the services required of them, shall at the *First* term of the Court of Quarter Sessions occurring after the first day of January in each year, renew their bonds, and give if required increased security thereon, which bonds shall be filed and made matter of record in said court.

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ARTICLE XII

AN ACT CONCERNING APPRENTICES.

Orphan, illegitimate and vagrant children may be apprenticed by the Probate Court; duties and responsibilities of masters &c.—parents and guardians may apprentice child or ward.....	SEC. 1
Courts of Quarter Sessions guardians of apprentices	2
Recaptured Africans may be bound, and how	3

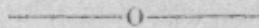
It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled:—

1. That the Probate Courts shall have the authority to bind out as an apprentice, every orphan child, who has no estate, and also every illegitimate and vagrant child, until the age of twenty one years, if a boy, or eighteen years if a girl, to any discreet person, applying for, or willing to receive, such child. Said master or mistress so receiving said apprentice, shall covenant to teach said child the art, trade or craft which he or she may follow, and also to instruct, or cause to be instructed said apprentice in reading, writing and arithmetic. And also to pay to said apprentice at the expiration of his or her time, the sum of twelve dollars. All which stipulation and covenants, together with the age of the apprentice at the date of the Indenture, shall be inserted therein. Any parent or guardian may bind his or her child or ward according to the above provisions or on such other terms as may be agreed upon by the parties contracting. The indenture shall be authenticated by the names and seals of parties contracting and shall in ten days from its date and execution, be deposited in the office of the Clerk of the Probate Court, of the County in which the apprentice resides, under a penalty of twenty one dollars. No such indentures shall be transferable except by and with the consent of the Probate Court.

2. The Court of Quarter Sessions shall at all times hear and determine in a summary way, all complaints of apprentices against their masters and mistresses, alleging undeserved or immoderate correction—insufficient allowance of food clothing, lodging or instruction: shall make such order thereon as in its judgment; the necessity of the case may require: and may if in its judgment, it thinks fit, revoke the indenture and bind the apprentice to some other person for the unexpired term of the original indenture. The said court shall in like manner hear and dispose of all complaints of masters or mistresses against their apprentices for misconduct or desertion without good cause. Any Justice of the peace is authorized when the court is not in session, on receiving good information of the improper treatment of any apprentice, to summon the master or mistress to appear before him; and should the circumstances of the case demand

it, he may require the master or mistress to enter into a recognizance to appear before the next session of the Court of Quarter Sessions, to abide the determination of said court in the case. Should the master or mistress fail to enter into said recognizance with sufficient surety to appear as aforesaid—the Justice of the peace shall place said apprentice under the care of some suitable person, whose duty it shall be to have the said apprentice before the court as aforesaid at its next session.

3. That Recaptured Africans landed here under the operation and authority of the laws and treaties of this Republic, may be apprenticed to citizens of this Republic under the following regulations: males under the age of fourteen years shall be bound until they attain the age of twenty one years—over fourteen years—for a term of seven years; females under the age of eleven years, shall be bound until they shall attain the age of eighteen years—those over eleven years shall be bound for seven years. All persons to whom such recaptives shall be bound shall give annually to every male thus bound, three shirts, three pairs of trousers, one jacket, and one hat or cap: Girls and women shall be suitably and decently clothed. All such apprentices shall be kindly and humanely treated, and all proper diligence shall be required of those to whom they may be bound, to instil into them the principles, and to initiate them into the habits of, civilized life.



PUBLIC DOMAIN.

ARTICLE I.

AN ACT ESTABLISHING THE BOUNDARIES OF THE REPUBLIC— OF COUNTIES, AND REGULATING TOWNS AND VILLAGES.

WHEREAS it is of the utmost importance to the peace, harmony, friendly intercourse, and amicable relation of nations, that the rights of each should be clearly ascertained and defined; and whereas serious inconveniences may arise from the extension of jurisdiction over territory, over which a rightful claim has not been asserted, and recognized; and whereas a common interest demands that all needless and unreasonable impediments be removed from the free operations of a lawful commerce: And whereas it is among the attributes of sovereignty and independence to prescribe regulations for the government of the conduct of all persons coming within its territorial jurisdiction; and whereas the people of the Republic

of Liberia, have at different times, for good and adequate pecuniary consideration, purchased from the native proprietors of the soil, the line of coast from Shebar on the North West, to Grand Cesters on the South East: A few inconsiderable intermediate points only excepted, and of these some are secured by pre-emptive treaties; And whereas said native proprietors have not only ceded to this Republic their property in the soil originally owned by them, but yielded up to this Republic all and every species of political ascendancy and sovereignty over the same: Therefore, in order to accomplish the laudable purpose stated above, as well as being moved thereto by other good and sufficient reasons; WE, the Representatives of the People of the Republic of Liberia in Legislature Assembled, in virtue of the purchases and treaties made as above stated, do hereby declare the following to be the Territorial Boundary of this Republic: To wit;—

A line commencing at the mouth of the Shebar river on the North West, running Northerly about forty miles—thence running Easterly to the inner or interior frontier boundary of the Gallinas section of the Vey, tribes; thence along said line of separation of the territory of the Vey, from that of the interior tribes, until it strikes the Northern boundary of the Millsburg purchase; thence along the North Eastern boundary of the Millsburg purchase, and through the tract of country lying between the said Millsburg purchase and Junk, until it strikes the Northern angle of the purchase of Junk territory, thence along the interior boundary of the purchase from Bassa to the St. John's River; thence across the St. John's and along the interior boundary of the territory of the Atlantic tribes from whom the purchases were made, until it reaches the South Eastern front of the Grand Cesters territory, thence in a South Westerly direction to the ocean at Grand Cesters in 4 degrees 39 minutes north latitude; and 8 degrees 8 minutes west longitude being a mean parallel distance from the ocean of forty five miles: thence along the sea coast in a North Westerly direction to the place of commencement, including all rivers, harbors, bays, islands and such a distance out in the ocean as is determined by the law of nations, to be just and proper in such cases, or as security, protection and a wholesome jurisdiction may demand.

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ARTICLE II.

DEFINING THE BOUNDARIES OF THE SEVERAL COUNTIES OF THE REPUBLIC.

SECTION 1. That the Northwestern boundary of the Re-

public of Liberia is, and shall be the Northwestern boundary of the County of Montserrado ; and that the Southern Eastern boundary of said county shall be a line one mile to the South East of the Southern Eastern bank of the main branch of Junk River and running parallel with said river back into the interior.

2. The boundary of the County of Grand Bassa on the Northwest shall be the South Eastern boundary of the County of Montserrado ; and the Centre of Sanquin River shall be the South Eastern boundary of Grand Bassa County.

3. The County of Sinoe shall extend on the North West to the South Eastern boundary of the County of Grand Bassa and on the South East it shall reach to the South Eastern boundary of the Republic.

ARTICLE III.

INCORPORATING, BOUNDING, AND REGULATING COUNTIES AND TOWNS.

SECTION 1. Each county shall be divided into Townships of not more than eight miles square, until otherwise more accurately defined by law: *Provided* that when there is not the space of eight miles between any two settlements—then half the distance whatever it may be, shall limit each township.

2. The several Townships shall be bodies corporate, and as such—may sue and be sued—take and hold real and personal property for the benefit of the Township—make and fulfil contracts, and levy all such taxes as may be necessary for township purposes.

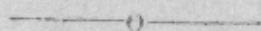
3. The corporate powers of the several counties shall be exercised by three Commissioners appointed in each county, whose duty it shall be, to have the care of the buildings and other property of their respective counties—exercise a general supervision over prisons, poor houses and asylums—examine into the state of roads and bridges—determine what expenditures are needed for the erection, improvement and care of the same, and recommend to the President the appropriation of such sums as may be necessary, out of the funds of said county :—And the Commissioners shall further have power whenever the necessities of the case require, to levy and collect such taxes as may be required towards paying the expenses of Government.

4. That all monies arising from licenses under the first and second sections of the eighth Article of the Act regulating Navigation, Commerce and Revenue be, and the same are hereby granted to the authorities of the towns and villages in which said amounts shall be raised to be expended for County and town purposes. It is hereby made the duty of the Treasurer

and sub-treasurers of the several Counties to furnish the authorities of said towns and villages, with an account of the sums so paid in : and on presentation of the said account to the President, he is hereby authorized and requested to draw on the Treasurer or sub-treasurer respectively, for the same : to be applied to the improvement of their respective Towns and villages.

5. That where there are no local authorities, the President be, and he is hereby authorized and requested to appoint some suitable person or persons to receive the amount of the apportionment which may be due to said town or village, and to carry out the provisions of this and the preceding sections.

6. The Treasurer of the County shall receive and keep subject to order of the Commissioners all the monies of the County,—and make full quarterly report to them of his doings. He shall keep an account of all receipts and disbursements, subject at all times to the inspection of the Commissioners :— Shall keep separate accounts of monies received for the Commonwealth ; 1st, For licenses ; 2d, for military fines ; and 3d, Commonwealth taxes, &c. &c. And for his services, he shall receive a per-centum, not to exceed twenty on all monies received and paid by him—the rate per-centum to be determined by the Commissioners.



ARTICLE IV.

PERTAINING TO THE APPORTIONMENT AND IMPROVEMENT OF LANDS.

SECTION 1. Each settler on his arrival in this Republic is entitled to draw a town lot or a plantation, for which the President shall give him a certificate specifying the number and the time of drawing. If a town lot be drawn it is required, that a house of sufficient size to accomodate all the family of the proprietor, and built of stone, brick, or other substantial materials and workmanship, or if frame or logs, weatherboarded and roofed with tile, slate or shingles, be erected thereon, and if completed in two years from the date of the certificate, the drawer will be entitled to a fee simple deed. If a plantation be drawn, and within two years two acres of land on said plantation shall have been brought under cultivation, the certificate may be exchanged for a deed in fee simple.

2. That every married man shall have for himself a town lot, or five acres of farm land, together with two more for his wife and one for each child that may be with him—*provided always* that no single family shall have more than ten acres.

3. That women not having husbands, immigrating to this Republic with permission, and attached to no family besides their own shall receive each a town lot, or two acres of farm lands on their own account, and one acre on account of each of their children—and unmarried men of the age of twenty one years arriving in the Republic from abroad, or attaining their majority while resident in the same, and having taken the oath of allegiance, shall be admitted to draw and hold a building lot or five acres of farm land on the same conditions as married men. In case of marriage afterwards, such person is to draw on account of his family no additional lands, but shall be entitled to hold whatever his wife may have previously drawn in her own rights, or inherited from a former husband or other person, provided she shall not have alienated such lands at the time of her marriage.

4. It shall not be lawful for any person or persons, to cut down or destroy any Palm Trees on lands, for which he or they do not possess a fee simple title :—And that for every such offence, he, she, or they, shall be subjected to a fine of five dollars, recoverable before any Magistrate, for the use of the party suiting for the same. And all persons trespassing on lands not their own, by cutting or removing timber or other property, are liable to exemplary damages.

5. That no bargain, transfer, sale, deed or lease of lands, by or with the grantee of lands for the same, before a legal and complete title in fee simple has been obtained, shall be valid or lawful. The imperfect right in lands acquired by the draft of the same, shall, in the event of the decease or expulsion of the drawer before the expiration of the probatory term, descend to his or her heirs in the Republic.

6. That every proprietor of farm lands is required to keep erected, at the angles of the same, posts 6 inches square at top, to stand 2 feet above ground and be planted 18 inches deep.

The penalty of one dollar for each post not so erected to go to any person sueing for the same.

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ARTICLE V.

FOR REGULATING TOWNS AND VILLAGES.

1. That whenever there exists an excess of under brush or noxious weeds to the injury of persons living contiguous, injuring or in-conveniencing them either in their ways, prop-

erty or health—it shall be the duty of persons aggrieved thereby, to make a representation of such nuisance to the Commissioners, under the 8th section of “An Act incorporating, bounding and regulating counties and towns,” whose duty it shall then be, to publicly advertise, for thirty days, the owner or owners thereof to clear away and remove the nuisance complained of—and should such nuisance still remain after such notice, then said commissioners shall advertise at two of the most public places in the township for the space of ten days, at the end of which time the work necessary for the removal of such nuisance, shall be let to the lowest bidder who shall be paid, for removing such nuisance from, any funds of the Township.

2. That the owners of property thus incumbered shall be allowed one year from date of such incumbrance for the repayment of the sum expended in clearing the same—they paying an advance of $33\frac{1}{3}$ per cent on the sum so paid out. And should they fail or neglect to pay the same, at or before the expiration of one year, then, after forty days’ public notice in one of the newspapers published in Monrovia, the same shall be sold or such portion thereof, as shall be necessary to repay the township with the advance and cost chargeable thereon: *Provided always* that the property of minors having no guardian shall not be sold before the expiration of one year from the time of their arrival at the age of twenty one years.

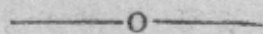
3. That every holder of a building or town lot, shall put a sufficient fence around one half of the same, on the parts contiguous to his next neighbours. Citizens injured or liable to injury from his neglect to make such fence, may apply to the Commissioners aforesaid, who are to warn the delinquent to construct such fence within a reasonable and specified number of days. In case of neglect, the delinquent is to be again warned to complete the same within ten days thereafter. At the expiration of this last ten days, the original complainant is authorized to cause the fence to be made; submitting his bill for the same, to the Commissioners, who are to revise, and, if reasonable, allow it. On this bill, any Magistrate applied to, is to issue execution, commanding the constable to levy on the delinquent’s personal estate and raise the money for judgment and cost within thirty days.

4. That there shall be a town meeting, under the direction of the Magistrates, held in each township annually on the first Tuesday in October for the purpose of levying such taxes as may be necessary for township purposes. And further to appoint one Treasurer and three overseers of Police—the last to keep the roads and streets in order, and guard the ingress of natives on the Sabbath day and pre-

vent the desecration of the same by colonists ;—And for the proper ordering of the streets it shall be their duty, and the overseers are authorized to summon all male inhabitants, from the age of sixteen to sixty years, by notifying them three days before each working day (not to exceed twelve working days in each year,) to assemble and clear out the streets—persons thus notified shall either in person or by substitute apply themselves to the work aforesaid, or pay the sum of one dollar for each day they fail to comply with such requisition, recoverable with the costs accruing by summons before any magistrate, for the use of the township.

5. That should any of the officers appointed under, and named in, this Act, fail of their prescribed duty, he or they shall be severally fined, in a sum of not less than one dollar, nor more than five dollars recoverable for the use of the township on complaint before any Justice's Court.

6. That if any individual or individuals be found drunk in the streets of any of the towns of this Republic, he, she, or they, shall be taken immediately and confined in jail until he, she, or they become sober.



ARTICLE VI.

AN ACT REGULATING THE SALE OF PUBLIC LANDS &c.

	SEC.
Land Comssioners—His duties—Public lands surveyed before being sold—at what time sale of—Report quarterly to Sécretary of Treasury,—	1
Copy of Surveyors Certificate to be given to purchaser—Land commissioners fees how collected.....	2
Monies paid into public Treasury—minimum prices of lands.....	3

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled :—

SECTION I. That there shall be appointed in each of the Counties of this Republic, one person to be called Land Commissioner, whose duty shall be to effect the sale of public lands. Any citizen expressing to him a desire to purchase a lot or parcel of public lands, (excepting such as may be reserved for public use) he shall forthwith have the said lot or parcel of land so desired, surveyed at the expense of the government, so as to give the precise number, situation and the boundaries before offering it for sale, and upon his

receiving the Surveyor's certificate describing the boundaries, number &c. of said land, he shall on the first day of the term of the Court of Quarter Sessions, when it is not in session offer at public auction in front the Court "House," the lot, or parcel of land so desired and surveyed. He shall file in his office all certificates received by him from the Surveyor of lands surveyed by him, and keep a correct account in a book furnished for the purpose of all lands sold, and report quarterly to the Secretary of the Treasury. And shall receive five per cent to be paid by the government on all sales of land effected by him.

2. That the Land Commissioner shall give to the purchaser of lands a copy of the Surveyor's certificate, endorsing on the back of it the date on which the land was sold, and the amount for which it was sold. The purchaser on receiving said certificate shall pay into the Treasury, within ninety days, the full amount for land so purchased, and take the Treasurer's receipt for the same, and present the same to the Land Commissioner. And should the purchaser fail to comply, the sale shall be null and void. And in all such cases the person shall be responsible to the Land Commissioner for the amount of his percentage on sales, and on his failing to pay the same, it may be recovered in an action of debt before any Justice of the Peace or any Court having jurisdiction in the case.

3. That the Land Commissioner on receiving the Treasurer's receipt for moneys paid in for lands sold, shall forthwith grant the purchaser a certificate addressed to the Register, certifying that he had complied with the law in the purchase of a lot or parcel of land as described by the Surveyor's certificate, a copy of the same thereto annexed, and that he is entitled to a deed for the same, for which certificate he shall pay twenty five cents. All lands surveyed and offered at auction and not sold may be sold by the Land Commissioner at private sale, payment to be made the same as land sold at auction, provided it is not sold below the minimum prices of land. The minimum prices of land lying on the margin of rivers, shall be one dollar an acre, and those lying in the interior of the lands on the rivers Fifty cents. Town lots each shall be Thirty dollars, except marshy, rocky and barren lots and plots of land which may be sold to the highest bidder.

4. That it shall be the duty of the Registrar, on receiving the certificate of the Land Commissioner with a copy of the Surveyor's certificate describing the number, deed and boundaries of land, annexed, immediately to fill up a deed with the number of acres, number of lot

and boundaries &c, as per Surveyor's certificate, counter-signing the same as being executed on the authority of the Land Commissioner's certificate with the day and date so executed, and deliver the same over to the purchaser, he paying for the same. The Register shall file all certificates and shall transmit them semi-annually to the Secretary of State. He shall be allowed the usual fees for making out and recording deeds, it being hereby made the duty of each Register when called upon to record deeds for lands sold in his County, in a book furnished him for the purpose. The President is hereby authorized and requested to lodge in the hands of the Register of each County a sufficient number of blank deeds for lands, to be filled up by the Register according to the 4th, Section of this Act.

5. That the President is hereby authorized and requested to have drawn up at as early a date as possible so as to be extended a correct plot, where there is none, of each Town and Village, or Settlement, in the several Counties of this Republic, where lands are being drawn or sold, and a copy of each plot of the different Towns, Villages or Settlements in the respective Counties, be placed in the office of the Land Commissioner, and also in the office of the Register who shall note on the plot deposit in his office, all land disposed of by the government for which he gave deeds, or otherwise coming under his notice, and to whom conveyed. It shall be the duty of the Land Commissioner to note on the plot deposit in his office all land sold, by him and to whom sold, and of all lands reported by the Surveyors. The Land Commissioner shall be held responsible for any damage sustained by any person or person from mismanagement or neglect of the duties of his office. And further any law conflicting with this Act be, and the same is hereby repealed.

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ARTICLE VII

AN ACT AUTHORIZING THE APPOINTMENT OF SURVEYORS FOR EACH COUNTY, AND DEFINING THEIR DUTIES

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled:—

SECTION 1. That immediately after the passage of this Act, there shall be appointed in each of the Counties of this Republic Surveyors of Public lands for their respective Counties, as follows: For Montserrado County, there shall be three Surveyors appointed; for Grand Bassa County, there shall be two

appointed; and for Sinoe County there shall be two appointed each one being responsible for his own acts; and upon disputes arising between two Surveyors as to the correctness of survey of any plot or plots of land surveyed separately by them, the question shall be determined by the decision of two Surveyors agreeing—and where there are not three Surveyors, the Land Commissioner may be associated to determine the question.

2. It shall be the duty of said Surveyors, separately or jointly when called upon in their respective Counties, to survey Public lands drawn by emigrants or others to whom lands may be apportioned, by the order of the President or of whomsoever he may appoint to issue such orders in the several Counties of this Republic. Public lands to be sold at public auction to be surveyed at the order of the Land Commissioner.

3. All land shall be surveyed so as to give its situation, the number of lot or parcel of land as it may be, the boundaries, the four corners or angles and the number of acres. The Surveyor shall give to the party concerned in the survey a certificate describing the situation, the number, the boundaries, the corners and quantity, and receive from the said party a receipt endorsed by the Commissioner of public lands stating that to their knowledge or belief as the case may be, said lot or parcel of land describing the same, had been surveyed and a certificate of the same received; upon said receipt the Surveyor shall be entitled to pay for his services at rates as follows: For each ten acre plot surveyed at any one time to order, not exceeding five plots, Three dollars: For each ten acre plot surveyed in like manner not exceeding ten nor less than six plots, Two dollars and fifty cents. For each ten acre plot not exceeding twenty, nor less than eleven plots: Two dollars and twenty five cents: For every ten acre plot over twenty plots, Two dollars, and for every Town lot surveyed, One dollar. It shall be the duty of the Surveyor to report to the Land Commissioners of all public lands surveyed by him, to the order of the President for emigrants or others, giving their situation boundaries &c. and to extend on the Plot deposited in the Land Commissioners office, as additional surveys are made, and shall receive from the government twelve and a half cents for each ten acre block up to four at any one time extended on the plot, and five and upwards at any one time ten cents per block, and for town lots six and a quarter cents up to four, and five and upwards extended at any one time, five cents each. The said Land Commissioner shall examine said plots by comparing them with the field notes, and if found correct shall endorse the receipt for survey, certifying on the same that the block had been plotted, on which the Surveyor shall receive his pay.

4. Any Surveyor or Surveyors fraudulently obtaining a receipt from any party on a false certificate when the lands as stated in the certificate, had not been surveyed according to law,

upon conviction of the same before any Court having jurisdiction in the case, he shall be fined in a sum of not less than Fifty dollars nor more than One Hundred dollars and dismissed from office.

5. That any law conflicting with this act be, and the same is hereby repealed.

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ARTICLE I.

AN ACT RELATING TO TREATIES.

It is enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled.—

SECTION 1. That in all cases of treaties to be made, of which this Government shall be a party, the President may appoint Commissioners, who may be clothed with the necessary power, and held bound to depart in no wise from their instruction—. And all treaties, whereof the Republic is one of the contracting parties, shall, from the date of their publication, become *laws*: And offenders against their provisions shall be punished in pursuance of judicial sentence.

2. That in all treaties and negotiations with the surrounding Headmen or Chiefs of native tribes for land, the settling of questions of boundary, or for the extension of territory, a fair and complete understanding shall be had and obtained, and proper instruments of writing shall be had and made, fully expressing the whole subject matter of agreement or arrangements made, and entered into—the full amount paid as the consideration of any bargain, or for any purchase made together with the real signatures of all concerned in the transaction;—And no Chiefs or Head-men, the proprietors of any lands shall by either force or fraud, be brought to accede to measures—nor shall any construction by implication be given to words, or action be employed to deprive them of their rights in any respect, and more especially with regard to lands when they signify an unwillingness to deal in the way of pacific negotiation.

ARTICLE I.

AN ACT DEFINING USURY.

It is Enacted by the Senate and House of Representatives

of the Republic of Liberia in Legislature Assembled:—

SECTION 1. That any interest charged in this Republic higher than ten *per centum*, per annum, shall be considered usury; and any person or persons guilty of charging more than ten *per centum* per annum on any amounts which may be due him or them, shall forfeit the whole principal and interest to go to the use of the Republic.

2. In cases of open accounts, or bills of exchange, or other bonds or obligations for money due, where there shall be no expressed agreement as to the rate of interest, the creditor shall have the right to charge six *per centum* per annum and no more;—nevertheless it shall be the privilege of any and all persons in making contract when the payment of money is involved, to charge as high an interest as ten *per centum* per annum, which shall be binding upon the grantee if originally agreed to by both parties when the contract was made.

3. Offences against this act shall be deemed misdemeanor, and shall be prosecuted as such, upon information, before the court of monthly Session.

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ARTICLE I.

AN ACT ANNULLING AND FORBIDDING A STATUTE OF LIMITATION.

Be it Enacted by the Governor and Council in^d Legislature Assembled and is hereby enacted by authority of the same:—

That the act fixing a Limitation in bar of the recovery of claims in this Commonwealth, be, and the same is hereby repealed; and that no such law, statute or ordinance shall be of force previously to the year 1850.

Be it Enacted by the Governor and Council in Legislature Assembled and it is hereby enacted by the authority of the same:—

That the act passed September 1839 “annulling the act fixing a limitation in the bar of the recovery of claims in the Commonwealth,” be, and the same is hereby repealed.

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ARTICLE I.

AN ACT DEFINING PIRACY.

	SEC.
Punishment of piracy.....	1
Definition of piracy.....	2
Accessories before the fact—and punishment.....	3
Robbery committed on shore by pirates.....	4
President empowered to authorize the seizure of pirates.....	5
Proceeds of condemned piratical vessels, how disposed of.....	6
Commanders of armed vessels authorized to capture pirates.....	7
Other Acts constituting piracy.....	8 10
Cases in which pecuniary penalty may be inflicted.....	11

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled:—

1. That all offences denominated by the laws piracy, and which would, by the law of nations be punishable with death, shall be punishable in this Republic by imprisonment for life, excepting such offences as may be specified by the Legislature and the pains and penalties thereof specially defined by law.

2. If any person or persons shall commit upon the high seas, or in any open roadstead, harbor, bay, or river within the jurisdiction of this Republic, murder, or the crime of robbery in, or upon any vessel, or upon the officers, crew or passengers, on the landing thereof; or if any captain or mariner of any such vessel shall piratically and feloniously run away with such vessel, or shall voluntarily yield up such vessel to a pirate, every such offender shall be deemed, taken and adjudged to be a pirate and felon, and being thereof convicted before any court of competent jurisdiction shall suffer the penalty attached to the crime of piracy.

3. Every person who shall, either upon the land or sea, knowingly, and willingly, aid and assist, procure, command, council, or advise any person, to do, or commit, any murder or robbery, or other act, as piracy aforesaid, and such person shall do or commit any such piracy or robbery, then every such person, so aiding, assisting, commanding or counselling as the case may be, is hereby declared, deemed, and adjudged to be accessory to such piracies before the fact, and being thereof convicted before a competent tribunal, shall suffer imprisonment for life.

4. If any person engaged in any piratical cruise or enterprise, or being of the crew, or ship's company of any piratical

vessel, shall land from such vessel, and on shore commit robbery, such person shall be adjudged a pirate, and on conviction thereof before a competent tribunal shall suffer the penalty attached to the crime of piracy.

5. The President of this Republic is authorized to instruct the commander of any armed vessel of the Republic to subdue, seize, take, and send into any port of this Republic, any armed vessel or boat, or any vessel or boat, the crew whereof shall be armed, and which shall have attempted or committed any piratical aggression, search, restraint, depredation or seizure upon any vessel of this Republic or the citizens thereof, and also to retake any Liberian vessel which may have been unlawfully captured upon the high seas.

6. Whenever any vessel or boat, from which any piratical aggression, search, restraint, depredation or seizure shall have been attempted or made, shall be captured and brought into any port of this Republic, the same having been condemned by due process and trial in any court having jurisdiction in admiralty cases, she shall be adjudged to be sold, and the proceeds thereof to go, one moiety to the Republic, the other to the captor. And the court so condemning is hereby authorized to decree the sale and distribution accordingly.

7. The commanders of armed vessels of this Republic knowing any vessel or vessels to have committed any of the crimes above specified, are hereby authorized to pursue, take and detain said vessels and the crew thereof, and carry them into the port lying next to the place of capture to be dealt with according to law.

8. Any person or persons who shall make forcible entry on board any vessel within the jurisdiction of this Republic, for the purpose of robbery, or molestation of the crew or passengers, or other persons on board said vessel, or who shall unlawfully hinder, detain, or restrain said vessel from proceeding on her destined course, all such persons so forcibly entering upon, hindering, detaining or restraining shall be deemed guilty of piracy, and upon conviction thereof before a competent tribunal, shall suffer the pains and penalties attached to the crimes of piracy.

9. Any person or person who shall go along side any vessel within the jurisdiction of this Republic, or enter thereon, and take therefrom by force, any portion of the cargo, tackle, apparel or furniture of said vessel: or shall cut, injure, or in any manner damage any portion of the cargo, tackle, apparel, furniture, or hull of said vessel, all such persons shall be deemed guilty of piracy.

10. Any person on board of one vessel who shall fire a shot or discharge any deadly weapon in and upon any other vessel, such person shall be deemed guilty of piracy. Nevertheless, should such act be done in defence of said vessel, her cargo, or the persons on board, such fact may be pleaded on

trial, and should it be established, such act shall not be deemed piracy.

11. In cases of conviction in any of the courts of this Republic of any of those crimes denominated by the laws piracy to which no specific penalty has been assigned, and in which murder has not been committed, the penalty shall be a fine of not less than five hundred dollars, nor more than three thousand dollars: and in default of payment, imprisonment for a term of five years but in those cases in which murder has been committed, the penalty shall be imprisonment for life.

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ARTICLE I.

AN ACT TO REGULATE PROCEEDINGS IN CASES OF WRECKS &c.

	SEC.
Property found to be delivered to Collector—how disposed of.....	1
Disagreement as to value, recourse to arbitration &c.....	2 3
Penalty for refusing or neglecting to surrender such property.....	4
Forfeiture of Collector for neglect of duty in such cases.....	5

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled.

1. That whenever boats, goods or property of any kind, having been wrecked or lost, is found, it shall be the duty of the finder, to deliver the same into the custody of the Collector or his Deputy, who shall give notice by public advertisement thereof, for ten days, in the neighborhood of those supposed to be concerned: after which time unless application be sooner made on the part of the owner or owners of the said property, the Collector shall proceed to sell the same to the highest bidder, and after deducting his commission with the salvage hereinafter specified, shall pay over the balance into the Treasury of this Republic. But should an owner appear to claim the said property, he shall be required to pay salvage of one fourth the value of the articles so found to be paid or secured to the finder.

2. That whenever the Collector as aforesaid, and the owner of wrecked or lost property, shall disagree as to the value to be fixed on any article under the circumstances above mentioned, then it shall be the duty of the parties to have recourse to arbitration, according to the rules and customs for the government of such proceedings.

3. That upon the decision of the arbitration aforesaid, should the owner or owners be unwilling, or fail to secure to those concerned, a ratable proportion of the value so fixed, then he, the said Collector, shall proceed to sell the same for ready

money to the highest bidder, and after deducting for himself the usual commission of his office, he shall pay over to the parties concerned, such proportion as shall accrue to them on the products of the sale.

4. That should any person finding or picking up any wrecked or drifted property, fail, or refuse to submit to the proceedings above prescribed, his claims as finder, or any other person for him, shall be abrogated—and he shall further be liable to be proceeded against as in cases of felony, and upon conviction, shall suffer the same penalties as for any other Act of larceny according to the magnitude of the offence.

5. That should the Collector, or his Deputies fail to fulfil the duties resting upon him in making the proper disposal of effects so coming into his hands himself or his securities shall pay to the parties aggrieved, double the value of such property.

ARTICLE I.

AN ACT TO REGULATE THE MILITIA.

ORGANIZATION, DISCIPLINE, PAY.

	SECT
Who subject to military duty	1
Who exempted.....	2
Duty of the commander-in-Chief to organize the militia.....	3
Officers of brigade—Regiment—Company.....	4
Volunteer company to be chartered—how.....	5
Duties of privates-non-commissioned officers—Chartered volunteer companies.....	6
Regimental parades—when.....	7
General orders—how issued—duties of Brigade-Major.....	8
Regimental courts-martial—where and when held—how composed—jurisdiction—by of adjutant.....	9
General court-martial—where and when held—how composed duties of Brigade-Major—may appoint a clerk.....	10
Fines arising under this act, how collected—by whom.....	11
Collection of fines may be delayed for further hearing.....	12
Fines for neglect of duty—deficiency of equipment—disorderly behavior.....	13
Persons elected to serve as officers shall be examined and recommended for commission.....	14
Pay when in actual service, and allowance.....	15
Tactics—discipline and general regulations when in actual service—forms of proceeding in courts martial.....	16

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled,—

1. That every able bodied male citizen of this Republic between the ages of 16 and 50, except those hereinafter enumerated

ated, shall be enrolled in the Militia ; and that every male citizen between the ages aforesaid, shall be considered "able bodied," unless he shall produce to the Commander of the Regiment a certificate from a Physician of his inability.

2. The following named persons shall be exempted from doing military duty, except in cases of invasion or insurrection or when the public exigency shall demand their services.

Members of the executive cabinet, and Judges of the Supreme and Quarterly Courts, Members of the Legislature and ordained Ministers of the Gospel,—and persons regularly employed on board the vessels of this Republic, as seamen or supercargoes : and whether belonging to volunteer or militia companies they shall be exempted when actually engaged in their calling, or about to go to sea on the days of muster, except such as belong to volunteer companies ; provided that person so claiming to be exempted shall register their names in the office of the Clerk of the County Court ; and on proof being furnished to the commander of the Militia, that any persons or persons so registered, shall have been unemployed in his or their calling for three months at any one time, he or they shall be enrolled and compelled to do military duty, the registration of his or their names as aforesaid, notwithstanding. *And further provided*, that every seamen and supercargo so exempted, shall pay monthly into the hands of the county Treasurer, of the county in which the port from which he hails is situated, the sum of twenty-five cents, to be accounted for by the Treasurer, and applied as the Legislature may direct.

3. It shall be the duty of the Commander-in-chief to organize the militia of this Republic into one Brigade, to consist at present of two Regiments, and as soon as may be, complete the organization, by filling up the Brigade ;—*Provided*, however, that it shall never embrace more than four Regiments, which shall be as equal in point of numbers as circumstances will allow ;—*And provided* that no new Regiment shall be formed with less than six companies of forty men each.

4. There shall be one Brigadier General, with one aid, whose rank shall be that of Captain ; one Brigadier Inspector with the rank of Major ; one Quarter master, & one Commissary with the rank of Captain.

To each Regiment there shall be one Colonel, one Lieutenant Colonel, one Major, one Surgeon with the rank of Lieutenant, and two Surgeon's mates with the rank of Ensign ; one adjutant, one Quarter Master, and one Commissary with the rank of 1st Lieutenant ; one Sergeant Major, one Quarter-Master Sergeant, and one Drum Major with the rank of first Sergeant : and to every company there shall be one Captain, two Lieutenants, and one Ensign, four Sergeants four corporals, and two Musicians.

5. The Commander-in-chief, shall grant a charter to any body of men, as a volunteer company, when he shall have a Roll of forty, rank and file, presented to him for that purpose, which volunteer company, and such as are now chartered, shall have the benefit of the fines accruing from their company parades. The charter of every such volunteer company, shall specify the duty of its members to arm and equip themselves fully, as hereinafter provided, and to hold themselves ready at all times when notified, for actual service as volunteers.

6. Every private and non-commissioned officer in the line, whether attached to volunteer companies or not, shall be bound at all times to appear on parade with a good musket, bayonet and cartridgebox ; and, when called into actual service, with a suitable knapsack—and every volunteer neglecting to comply with or actually violating the provisions of its charter, shall be formally cited by notice of at least 26 days, to show cause before the Commander-in-Chief, why it should not be disbanded, and if sufficient excuse is not rendered for such neglect or violation, the Commander-in-Chief may disband the company, and institute proceedings against the officers of such company before a Court-Martial—*Provided* always, that every volunteer company shall be disbanded so soon as it is reduced below the number of forty rank and file.

7. All general orders shall be issued by the Commander-in-Chief, through one of his Aids—brigade orders shall be distributed by the Brigade Major, and regimental orders by the Adjutant of each regiment. The Brigade Major, shall keep a fair transcript of all returns made to him, in a book, and shall file all such returns in his office, and he shall make a full report of the state of arms, and equipments throughout the brigade within twenty days after each regimental parade, to the Commander-in-Chief.

8. The regimental Courts Martial shall be held in each county within twenty days after the Regimental parades, and at such places as the Commanding officer of the different regiments may appoint. The court shall be composed of the Commander of the Regiment where it is held, and at least with two other commissioned officers of the staff or line, and not to exceed four, except in cases of magnitude, when the commanding officer of the regiment may order an extra number to be cited to compose the body, not to exceed eight. This court martial shall have cognizance of all military offences within its bounds committed by privates or officers below the rank of Major; and may impose fines and forfeitures incurred at regimental and company parades and from this court appeals may be had to the General Court Martial. And further, it shall be the duty of the Adjutant of each regiment to attend on all courts-Martial, to do all citation in person or by deputy, under the direc-

tion of the commanding officer of the regiment: and further, he shall receive one dollar and twenty five cents per day for each day he attends on the Court Martial not exceeding three days, which amount shall be paid out of monies in the Treasury arising from military fines.

9. There shall be one General Court Martial held at Monrovia, or elsewhere within the Republic as the Commander-in-Chief may appoint on the second Wednesday in January of each year, to be composed of a General and two or more staff officers. This court shall have cognizance of all military offences committed by an officer above the rank of Captain, and when a General is to be tried, if there is no General to preside, the Commander-in-Chief shall name what officer shall preside, during that session of the court. The Brigade-Major shall attend on this court, do all citation under the direction of the Commander-in-Chief or General, and from this court appeals may be had to the Commander in Chief. And further when a Court Martial is convened, it shall be lawful for such court to appoint such a person as the members thereof may see fit, to act as clerk, and the clerk so appointed, shall receive a compensation for his services in a sum not exceeding one dollar per day, to be paid out of the Treasury of the Republic from any monies arising from military fines. It shall be his duty to keep records of all the doings in the Court Martial under the direction of the presiding officer, he shall deliver a true, plain and correct copy of all the proceedings of the court, approved by the presiding officers, to the Commander-in-Chief, and receive from him a certificate acknowledging the same, and on presenting said certificate to the presiding officer, he shall sign his bill for services rendered as clerk.

10. All fines assessed by virtue of the Military Act, shall be collected by the Sheriff of each county or his deputy: and to enable him to make collection, he shall be presented with a plain and correct copy of the records of all such fines approved by the Commander in-Chief, for which he shall give his receipt. Having collected such fines, he shall deduct a commission of twelve percentum and shall account for, and pay over the residue into the public Treasury within four months after the reception of the records of fines in hand under the same penalties, and subject to the same mode of recovery as prescribed by law. And should any person or persons so charged with fine or fines fail to make payments in three months after the Sheriff shall have demanded the amount of such fine or fines from him or them, the Sheriff is hereby authorized to make distress and sale thereof to amount of the fine or fines so charged against him or them. It also shall be lawful for the Sheriff to attach the effects or money of such delinquents in the hands of any person, and it shall be lawful for such garnishee

to satisfy and pay the amount due on account of such fines; but if he shall refuse or fail to pay the said amount, it shall be the duty of the Sheriff to summon such garnishee before the nearest Justice of the Peace for said county, informing him the precise time he shall appear (allowing sufficient time,) and if he shall appear, and on oath confess that he has, or had effects in his hands, or stands or stood indebted to such delinquent sufficient to satisfy in part or the whole of such fine or fines at the time, or since the attachment was served on him or them, or if he fails to appear at the time, it shall be lawful for the said Justice to award execution against such garnishee for the amount thereof, or so much as shall appear to be in hand with cost: provided that before such Justice shall award an execution for default, he shall require an oath that such garnishee was duly informed of the time of such application.

11. Any officer, non-commissioned officer or private, who having been fined by a Court Martial, can make it appear satisfactorily to the presiding officer of the Court in which the fine was assessed, that the fine was illegally assessed owing to circumstances in his case, the presiding officer may grant him a new trial at the ensuing court, and delay the collection of the fine until the case be further determined, when the fine may be revoked or revived as the court may determine. In each case the Sheriff shall be notified by order from the presiding officer of the court to delay the collection of any fine in question, and may again order the collection of any such fine, or inform him that such fine has been revoked, which order from the presiding officer shall be a lawful discharge to the Sheriff for the amount of any such fine or fines in his hands for collection.

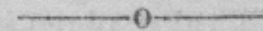
12. Any private failing to attend parade when properly notified, shall be fined in a sum not less than one and a half, nor more than five dollars—for appearing after the call of the Roll, not less than fifty cents, nor more than one dollar; for appearing without a gun, not less than twenty five cents, nor no more than three dollars, and for any and every other article or arms, or equipment which he shall appear without, not less than twenty five cents, nor more than two dollars. For every act of disorderly or unsoldierlike conduct, a sum not less than one dollar, nor more than ten dollars: and for any act of disobedience, or disrespect to officers, not less than two, nor more than twenty five dollars. Every non-commissioned officer for any of the above offences, shall be fined double the sum imposed upon a private, and also be reduced to the ranks. Any officer failing to appear on parade at any time when properly warned, shall be fined in a sum not less than three dollars, nor more than twenty dollars, for not being present at the call of the Roll, shall be fined in a sum not less than one

dollar nor more than two dollars; and for failing to uniform himself according to law, and for any unofficerlike conduct or disobedience to superiors, may be fined in a sum not less than twenty dollars, nor more than one hundred dollars, and may be further cashiered and reduced to the ranks. And it shall be the duty of every staff and field officer, and every commander of companies, and all orderly sergeants to provide themselves with a copy of the most approved work on the tactics and discipline of the United States Army.

13. Whenever any person is elected by his company to any office, he shall be examined by a board of officers appointed by the President, and if found competent, he shall be recommended by them to be commissioned by the President. The companies shall be only required to parade at such times as are named in their respective charters.

14. Whenever the militia, or any portion thereof, shall be called into actual service, the pay of a private shall be eight dollars per month, and a daily allowance of one pint and a half of rice, and a half pound of beef or their equivalent in other wholesome provisions;—Corporals shall receive ten dollars per month, and like rations with a private; Sergeants shall receive fifteen dollars per month; Ensigns and Lieutenants shall receive seventeen dollars per month, and two rations; Captains shall receive twenty-two dollars per month, and two rations; Majors thirty dollars per month, and three rations; Lieutenant Colonels shall receive thirty-five dollars per month, and three rations; Colonel thirty-eight dollars per month, and three rations; Brigadier General forty dollars, and four rations.

15. The general tactics and discipline of the militia—the policy and general regulations when in actual service,—and the forms of proceedings in courts martial, and all forms of military process, order of reports, accounts and returns, shall be the same as in the United States' service.



ARTICLE II.

SUPPLEMENT TO AN ACT, ENTITLED AN ACT TO REGULATE THE MILITIA.

	SEC.
The time of monthly parade.....	1
The days on which Regimental and Battalion parade shall take place, hours of parade.....	3
Places where Battalion parade shall take place.....	4

How delinquents from parade shall be brought to trial.....	5
How evidence shall be taken before Court Martial.....	6

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled :—

1. That from and after the passage of this act, the Militia companies of the several settlements or townships of the counties of Mesurado, Grand Bassa and Sinoe, be and the commanders of the same are hereby authorized and commanded to parade their respective companies in their several settlements or townships on the first Saturday in every second Month : viz, February, April, June, August, October, and December, according to law in such cases governing Volunteer companies, with all proper arms and ammunitions as are by law made and provided Such months excepted as are required by law for Battalion and General parades.

2. That the day on which Regimental and Battalion parades shall take place, shall be on the first Friday in the months of February and October.—and the hours shall be from nine o'clock to twelve A. M. and from two to four P. M.

3. That the law requiring the citizens of the several townships in the County of Messurado, to come to Monrovia in the months of February and November to parade, shall be, so amended as to read that the Regimental parades shall take place in the Settlement of Caldwell in the Month of October, in the Town of Monrovia in the Month of February—and the law requiring the companies of Bexley and Buchanan in the County of Grand Bassa, to parade in Edina, shall be so altered as to read that the Regimental parades shall take place in the Town of Edina in the month of February, in the Town of Buchanan in October—And the Regimental parade in Sinoe County, shall be so altered as to read that the Regimental parade shall take place in the Town of Greenville in the Month of February—and the Settlement of Readville in the Month of October.

4. Officers, Drill shall take place in the settlements or townships in which the several parades are appointed.

5. That all delinquents to be tried at Court Martial shall be notified to appear there by the Adjutant of the Regiment at least five days before the Session of the Court Martial when and where he may defend himself in person or proxy.

6. That all civil officers who may not be herein specially exempted, shall if on any day of parade, they be required to discharge civil duties, pursuant to their office, be on that day exempted from Military duty.

7. That in the event of the sickness or other disability of any person, thereby preventing said person from parade

that evidence of the fact be received on oath by the Court Martial no certificate being had notwithstanding.

8. All laws conflicting with the above be and the same are hereby repealed.

9. That the Secretary of State be and he is hereby authorized to transmit a copy of the above act to the several settlements as soon after the passage as possible.

AN ACT PROVIDING FOR A NAVY.

ARTICLE I.

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled :—

SECTION I. That from and after the passage of this Act, the President be, and he is hereby authorized to have built, or purchased as soon as possible a vessel of not less than sixty, nor more than one hundred tons burthen, to be armed for the protection of our Government and Revenue.

2. That the President shall have the power of appointing with the concurrence of the Senate, at all times, the officers and men that may be required for the commanding of said vessel.

3. That the said vessel shall be mounted with guns, the size and number to be determined by the President.

4. That the Police and general regulations of said vessel shall be under the control of the President, who may adopt, as far as practicable, the regulations, or any part thereof, provided for the government of such vessels in the United States; and shall assign from time to time, to the Commander such duties as may serve the interest of the Republic of Liberia.

—O—

ARTICLE I.

AN ACT GRANTING CERTAIN MONIES TO THE DIFFERENT TOWNS AND VILLAGES.

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled,—

SECTION I. That from and after the passage of this Act

all monies arising from licenses, in the several Towns and Villages of this Republic, as specified in the 1st and 3d Sections of the 8th article of the Act Regulating Navigation, Commerce and Revenue, be, and the same are hereby granted the authorities of the several Towns and Villages, in which the said amount or amounts shall arise, for the improvement of the same.

2. That it shall be the duty of the Local Authorities of the several Towns and Villages, to obtain from the Treasurer or Sub Treasurer in each County, a correct account of all monies paid in for licenses as specified in the first section of this Act, from the Respective Towns and Villages; which account shall be presented to the President; whereupon he shall draw upon the Treasurer, or Sub-Treasurer in each County for the amount paid in the several departments.

3. That where there are no persons regularly appointed to carry out the provisions of this Act, the President be, and he is hereby requested to appoint some proper person or persons, whose duty it shall be to carry out the provisions of this Act.

—O—

ARTICLE I.

AN ACT FIXING THE SEAT OF GOVERNMENT—MEETING OF THE LEGISLATURE &c.—

	SEC.
Monrovia the Seat of Government.....	1
When the Legislature shall meet.....	2
Vacancy in the Presidency, how filled.....	3
Public account when made up to.....	4

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled:—

1. That the Town of Monrovia, in the County of Monserrado be, and same the is hereby made, constituted, and declared, the Seat of the Government of this Republic.

2. That the Legislature of this Republic, shall meet annually in the Town Monrovia on the first Monday in December, until otherwise ordered by law.

3. That in the event of the death, resignation or other disability of both the President and Vice President of this

Republic, the Speaker of the House of Representatives shall act as President, until the disability be removed.

4. That the accounts of all public officers must be made up, and reported quarterly. Any public functionary failing to make full quarterly accounts and returns, of matters under his charge, will subject himself to the charge of official misconduct, and to the pains and penalties there-to attached. All public accounts shall be closed on the thirtieth day of September in each year, which day shall end the fiscal year.

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ARTICLE I.

AN ACT LEGALIZING MARRIAGES AND LEGITIMATING ILLEGITIMATE CHILDREN.

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled:—

SECTION I. That no marriage of colonists or others, resident, or being in the Republic (natives of the country excepted,) shall be lawful without a license previously had from the Clerk of the County Court—and those persons requiring license shall give bond and security in the sum of two hundred dollars, that there is no legal barrier to their entering into the proposed connexion. The parties to any marriage contrary to this section shall be expelled from the Republic, and the person performing the marriage ceremony for unlicensed parties shall be fined at the discretion of the Court of Sessions.

2. It shall be the duty of all authorized Ministers of the Gospel, Judges and Justices of the Peace, who shall hereafter join together any persons in bonds of matrimony, to make a return, of the marriage license, certifying thereon the intermarriage of the parties and the date of the solemnization thereof, to the Clerk of the Court of Quarter Sessions, who shall enter the same in a book kept for that purpose, and for such entry shall be entitled to receive ten cents which shall be paid when such license is granted—and the register of such marriage or a certified copy thereof, shall be admitted as evidence of such marriage in any of the courts of this Republic.

3. All persons who at the time of their arrival in this Republic, shall be living and cohabiting together as

husband and wife, shall, previous to their admission to the rights and privileges of citizens, be cited by the Clerk of the Court aforesaid, to appear and in his presence and the presence of each other, be required solemnly to acknowledge and declare themselves to be bounden and lawful man and wife—and said acknowledgement it shall be the duty of the Clerk to record, to remain thereafter full and sufficient evidence of the marriage of the parties therein named.

AN ACT REQUIRING THE REGISTER OF BIRTHS AND DEATHS.

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled:—

SECTION I. There shall be a Town Clerk appointed annually in each town, whose business it shall be, to keep a record of the births and deaths of all persons occurring therein, specifying the day of each birth and death, and the names of the persons, if known.

2. Parents shall give notice to the clerk of their town, of the births and deaths of their children:—And every house holder shall give like notice of every birth and death happening in his or her house—And the Sexton of the burial ground in each town shall give notice of the interment of every person and the names of the persons so interred.

3. That the Town Clerk shall make semi-annual reports to the Probate Court:—And the Clerk of the Court of Probate and the Town Clerk shall receive each the sum of five cents for every birth or death that they may record, which sum shall be paid out of the County funds.

4. That the Probate Clerk shall make annual returns of all such matters and things as come within the view of this Act, to the Secretary of State.

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RESOLUTIONS AUTHORIZING THE PRESIDENT TO HAVE THE CENSUS TAKEN.

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled.—

1. That the President be and he is hereby authorized to cause as accurate a Census to be taken as the cir-

circumstances of the case will admit, of all the inhabitants, of the Republic—of Liberia, Americo, and also, the aboriginal inhabitants, as soon as possible.

1. The name of each head of a family, male and female.
2. The ages and number in each family, so as to show :
3. 4. All males over 65 years of age, and all females of the same age.
5. 6. All males over 50, and under 65, and all females of the same age.
7. 8. All males over 21, and under 50, and all females of the same age.
9. 10. All males between 16 and 21, and all females of the same age.
11. 12. All males under 16 and over 11, and all females of the same age.
13. 14. All males over 5, and under 12, and all females of the same age.
15. 16. All males over 1, and under 5, and all females of the same age.
17. 18. All males under 1, and all females of same age.
19. How many of all ages shall have been born in the Republic.
20. All idiots, lunatics, blind and decrepit persons:—
21. The number of horses, jacks, mules, or working oxen, cows, hogs, stock of all kind, spinning wheels, sugar mills, coffee cleaners, Arrow-root grinders, all or any kind of produce they raise or manufacture for market, and the number of acres of land cultivated by each and every family and citizen.

And that the pay allowed for taking the civilized inhabitants shall be according to the number returned, at the rate of one dollar for every hundred souls.

All laws and Regulations conflicting with the above be and the same are hereby repealed.

2. It is further Resolved, that for taking the Census of the aboriginal inhabitants, the Censor shall be allowed one dollar per day and five cents per mile, for each mile he may travel.

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ARTICLE I.

AN ACT CONCERNING BASTARDY.

It is Enacted by the Senate and House of Representative of the Republic of Liberia in Legislature Assembled :—

SECTION 1. If any woman shall be delivered of a bastard child, that shall be, or is likely to become chargeable to the public, and shall upon examination to be taken in writing upon oath before any Justice of the Peace in the place, charge any person with being the father of the child, any Justice of the Peace in the place where the person charged is a resident or inhabitant, on application of any citizen of a place wherein such child shall be born, may issue a warrant to apprehend and bring the person so charged before him, or any other Justice; and such Justice shall commit him to jail, unless he shall enter into bonds with sufficient surety in a sum of not less than fifty dollars, for his appearance at the Court of Quarter Sessions and abide the order thereof;—And if the Court upon the circumstances, shall adjudge the person so charged to be the father, and that the child is likely to become chargeable to the public, they may provide for its maintenance, by charging the father with the payment of not less than one dollar per week, payable monthly into the hands of the Treasurer of the Republic, or Sub Treasurer to continue while such child is likely to become chargeable to the public; and the father shall enter into recognizance with sufficient surety before the court, payable to the Treasurer of the Republic for the faithful performance of such order of the court. And if the father shall make default in the payment of such money for six months, or refuse to give such bond, the Court shall give judgment and execution and the Sheriff shall proceed to the collection of all such sums as may be due from time to time by the father, his executors or administrators.

2. If any woman after having been summoned before any Justice of the Peace, shall refuse to swear to the parentage of the child, and the child, is likely to become chargeable to the public, the Court may order the said woman to be hired out from time to time, as long as said child may be likely to become chargeable to the public,—*Nevertheless*, the mother of a bastard child may give good bond with surety to be approved by the Court of Quarter Sessions, for the maintenance of the child.

—o—

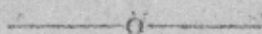
ARTICLE I.

AN ACT RELATING TO EXPATRIATION.

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled,—

SECTION 1. Any person or persons, citizens of this Republic, who shall remove to another Government and take the oath of allegiance, shall not be entitled to the privileges of citizens in this—and should such persons again return, they shall not be entitled to the elective franchise until they have again taken the oath of allegiance to this government, and have remained in the Republic at least twelve months thereafter.

2. Should any person or persons who had left the Republic, again return and refuse to take the oath of allegiance, declaring that he or they had not become citizens of any other Government and there should be any doubt respecting the fact, said person or persons shall be questioned as to the truth of the same before some Justice of the Peace and his or their answer in the negative shall be recorded by the Register :—And should it be afterwards found that he or they had taken an oath of allegiance to any foreign Government, all his or their real property in the Republic shall be confiscated, and he or they debarred forever from citizenship therein.



ARTICLE I.

AN ACT CREATING POST OFFICES AND POST MASTERS IN EACH COUNTY OF THE REPUBLIC VIZ ;

AT MONROVIA, BUCHANAN, AND GREENVILLE.

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled :—

SECTION 1, That from and after the passage of this act, there shall be created a Post Master General, whose duty it shall be to have the oversight of the provisions of this Act, and that there shall be established, connected with the Custom Houses, Post office Departments, and that the Collector of the above named places, be appointed Post Masters

2 There shall be provided for each Post office Department, as may be required, mail bags, cases for assorting

and arranging letters, boxes for receiving dropped letters, and conveniences for weighing letters:—it shall be the duty of each Post Master to report to the Post Master General of such bags, cases, boxes, &c as may be required for the Departments; and the Post Master General shall be required to order what is necessary for each Post Office, and that he the Post Master General be required to make quarterly returns.

3. It shall be the duty of the Post Masters to receive all letters, papers, and packages, coming by mail or otherwise,—to assort and arrange the same for a convenient delivery when applied for, and all letters &c, for other counties than the one where they are received, shall be assorted and put up under seal, and forwarded by the first safe and speedy opportunity offering. Letters for persons residing out of the Republic, to be forwarded in like manner free of postage. And it shall also be the duty of the Post Master to receive the postage on all letters &c, delivered.—letters to be forwarded out of the Republic excepted: and he shall make up a list of all letters, papers &c, remaining in the office over three days, with the names of the persons to whom directed, and advertise the same by putting it up in such Towns and villages to which the letters, papers &c, may be addressed—he shall place in a public place at or near the office a sign, at least three feet long and six inches broad marked in capitals 'Post Office'. When no opportunity offers for forwarding the mail to the different counties, and receiving mails from the same, the Post Master General shall be, and he is hereby authorized with the advice of the President, to make an express arrangement for the conveyance of the mails between the several counties each way at least once a month—no letters to be forwarded by express unless certified on the back thereof.

4. All vessels either Liberian or Foreign arriving in Port, it shall be the duty of each Captain before entering his vessel at the Custom House, to deliver to the Collector and his Deputy, all letters, newspapers and any other packages that may legally be considered as coming under the Post office regulations—letters to consignees excepted;—letters to be forwarded out of the Republic excepted.

5. All letters of half ounce, and under shall be styled a single letter, and shall pay a postage of three cents, letters over half ounce, or part of an ounce, over one ounce, one cent additional postage to be added to the double postage. News papers and Pamphlets, a quarter of a cent—all single letters by express shall pay a postage of twelve and a half cents—double letters twenty five cents, and one cent for every additional half ounce, or part over one ounce, and one cent to be added to the different postages for advertised letters. All letters left at the Post office to be mailed

to any port of Liberia, where there is no Post office, or to be mailed out of the limits of the Republic, shall be mailed free of postage.

6. All letters, papers &c remaining in the different offices over thirty days, and the owner or owners cannot be found,—the Post Master shall cause a list of the names to whom the letters &c, are addressed to be advertised at the Post office in the different counties, and the Post Master in the different counties, shall advertise the same in each Town and village within the county, and all letters, papers, &c, thus advertised, shall pay a two fold postage if applied for;—should such letters, papers &c, so advertised not be applied for in ninety days after advertisement, all such letters shall be considered dead letters, and shall be forwarded to the Post Master General, Post office Department, Monrovia; and all such letters, packages &c, shall be opened by him; and should the Post Master General find in any letters or package, any amount of money or other valuables, it shall be his duty to issue notice of the same in each County, and Township, setting forth the name of the writer and every particular, and to whom directed; and should a claimant establish his claim before any Justice of the Peace, then said letter or package, and its contents shall be delivered over to the claimant, by paying ten per cent on the value of the same, with the several postages accruing, and in case no claimant come forward, then the letters or packages, and contents shall be the property of the Government.

7. The Post Master shall keep exact accounts of all letters, papers, packages &c, coming under his notice, by recording the same in a book kept for that purpose; and of all letters mailed and distributed, and of all monies received for postage or otherwise according to the Act; of all monies paid out, and shall pay over quarterly to the Post Master General. The Post Masters, except the Post Master General, shall receive as compensation twenty five per cent on all monies received. The Post Master General shall keep an exact account of business coming under his notice in a box kept for that purpose, and pay into the Treasurer, quarterly all monies received by him under this Act, and shall report quarterly to the Secretary to the Treasury on the reports from the several Departments, in reference to monies paid in to the Treasury:—also on all monies paid in by himself, and make a general report annually to the Legislature.

8. It is further enacted that it shall be unlawful for letters, papers, or packages to be deposited to be forwarded to any ports excepting to go by inland routes, other than at the Post office Departments;—any person or persons receiving or delivering letters, papers or packages in viola

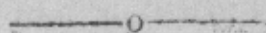
tion of this Act, and found guilty of the same before any Justice of the Peace of the Republic ;—for the first offence shall be fined in a sum not exceeding one dollar and half and for each and every other offence shall be fined the sum of not less than two nor more than six dollars.

9. Should any Post Master be found guilty of betraying his trust by breaking the seal, or making way with any letter, paper or package addressed to another person, he shall be considered as guilty of felony, and shall be subject to the law as in such cases made and provided.

10. All letters from the following officers of the Government public business, shall be forwarded free of postage—The President and Vice President, Secretary of State—Secretary of the Treasury—Attorney General—Post Master General—Post Masters—Collectors of Customs—Superintendents, Registers—Brigade General—Brigade Major—Colonels of the regiments ;—and during the session of the Legislature, the members of the Senate and House of Representatives—Secretary of the Senate—and Clerk of the House of Representatives.

11. It is further enacted that the President be and he is hereby requested and authorized to establish forthwith Post offices &c. as herein authorized, and he is hereby authorized to draw on the Treasury of this Republic for carrying out the same any amount not exceeding five hundred dollars ; all Acts conflicting with this Article, be and the same are hereby repealed.

12. The pay of the Post Master General shall be an amount not exceeding one hundred dollars per annum.



AN ACT TO PREVENT THE DISTURBING OF RELIGIOUS CONGREGATIONS.

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled.

SECTION 1. It shall be the duty of any Justice of the Peace Sheriff, Constable, or other civil officer, being present when any person or persons shall interrupt or disturb any congregation assembled at any Church, Chapel or Meeting House, or any other place for public worship, during the Divine service to take the person or person so offending into custody, or on complaint made by any person under oath, any Justice of the Peace, shall issue a warrant against him or them so offending—and said Justice may impose a fine on such offender or of

enders, not exceeding twenty dollars, or commit him or them to the common jail of the county, or the nearest jail, for a term not exceeding fifteen days.

2. Any officer who shall collect any fine imposed under this Act, shall make return of the amount so imposed and collected, to the Clerk of the Court of Quarter Sessions, and pay the same into the hands of the Treasurer, for the use of the county wherein such offence shall have been committed.

AN ACT TO ENCOURAGE AND ASSIST THE CITIZENS OF VIRGINIA AND CLAY-ASHLAND TO OPEN A ROAD AND MAKE BRIDGES BETWEEN THE TWO SETTLEMENTS.

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled.

SECTION 1. That, from and after the passage of this Act, the sum of two hundred and fifty dollars be and is hereby appropriated to assist the inhabitants of Clay-Ashland, and Virginia in building bridges; that is to say, for Virginia, seventy-five dollars, for a bridge near the Receptacle; to Clay-Ashland, one hundred and seventy-five dollars,—to assist to build bridges over Russell's and Hazel's creek; of durable materials,—Also the amount of one hundred dollars to the citizens of Harrisburg, opposite Milisburg—to assist them to open a good road, thrown up ten feet wide—to the large creek commonly called Mill Creek—provided, always, that the work is done and inspected by, at least two discreet person appointed by the President for that purpose.

—O—

Whereas there is a Petition from several citizens of the different settlements of the Republic of Liberia, begging for aid in the erection of a jail, bridges, &c. &c. therefore;

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled. —

SECTION 1. That the sum of two thousand dollars be, and the same is hereby appropriated to build a jail in the county of Sinoe.

2. The above named jail is to be of the best materials; that is to say, the foundation to be of substantial rock, the walls to be of good, hard and well burnt bricks and where timber is required the best that can be procured is to be used.

3. This said jail is to be of the following dimensions; that is

to say, twenty seven feet square, the walls of the first story to be ten feet high, and eighteen inches thick; the second story to be nine feet high and fourteen inches thick; to be arranged as per plan accompanying the petition; the building to be under the supervision of the commissioner, provided for by the Act regulating public work.

4. It is further enacted, that there be an appropriation of one hundred and fifty dollars, to aid in the erecting of a bridge across the creek running between the settlements of Farmersville and Lexington, in the county of Sinoe, to be built of the very best materials that can be procured.

5. And further, that the sum of one hundred dollars, be, and the same is hereby appropriated to aid in the erection of a bridge across the creek running between the settlements of Bluntsville and Readsville, to be built of the best materials that can be procured.

6. Further, that the sum of fifty dollars be appropriated, to aid the citizens of New Geogia in the erection of a bridge across a creek running in the rear of said settlement. And the President is hereby authorized to draw on the public Treasury for the same.

—O—

ARTICLE I.

AN ACT PROVIDING FOR COMMON SCHOOLS.

	SEC.
Common schools to be established in each settlement—committees of supervision to be appointed—their duties.....	1
Appropriations	2
Towns and villages empowered to levy taxes.....	3

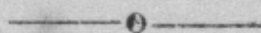
It is Enacted by the Senate and House of Representatives of the Republic of in Legislature Assembled:—

1. That there be established in each settlement and township in the several counties of this Republic, at least one common school—said schools shall be under the entire control of the several school-committees hereinafter ordained to be elected. The said committees shall make rules for the government of the same and are authorized and enjoined to employ a faithful and competent instructor for each school. Each teacher shall furnish the committee at the end of each term a full and detailed report of the state of the school—the studies prosecuted, the number, age and sex

of scholars, the time of entrance, and all such other matters as may be deemed important. All such reports shall be laid before the Legislature.

2. That the annual sum of one thousand dollars be, and the same is hereby appropriated to be drawn out of the treasuries of the several counties. Said sums shall be appointed among the several towns according to their number of inhabitants, to be applied exclusively to the support of the common schools of this Republic.

3. That the several towns and villages in their municipal capacity are authorized to levy an annual tax upon all male inhabitants over the age of twenty-one years—and the amounts so raised shall be applied as directed in the second section of this Act. The several school committees are hereby authorized to draw quarterly for the amounts due to the schools of which they may have the supervision; *Provided*, however, that in no case shall any one teacher receive more than four hundred dollars a year.



ARTICLE. I.

AN ACT FOR THE RELIEF OF FARMERS.

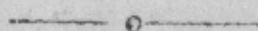
It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled :—

SECTION 1. That on application of any person whose business is exclusively that of farming, made either to the President or to any agent by him appointed—on the production of a certificate to the effect, from the Agricultural Committee of this Republic, and on such bond and personal security as shall be required, made payable to the Treasurer of this Republic, he shall have loaned to him at the lawful rate of interest in this Republic, the sum of five dollars an acre for each and every acre of land by him cleared and kept in constant cultivation or that when a crop of one kind is removed, there shall remain to be seen thereupon, such other articles as distinctly mark its possessor as one devoted to the particular interest and calling of a farmer.

2. The repayment of the aforesaid sums, shall be made in the following manner viz :—the interest on the whole sum due to be paid annually—one fourth of the principal at the end of one year one fourth at the end of two years—one fourth at the end of three years—and the last remaining

fourth at the end of four years : And that the funds to supply the loan as aforesaid, shall be furnished out of any monies in the Treasury not otherwise appropriated.

3. Notice by public advertisement of the provision of the law, shall be given by the Secretary of State, in every town in the counties of Montserrado, Grand Bassa and Sinee immediately on the rise of the Legislature.



ARTICLE I.

AN ACT ENTITLED AN ACT REGULATING DEPOSITS IN THE PUBLIC TREASURY.

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled.—

SECTION 1. That any person or persons who may wish to deposit monies in the Treasury of this Republic shall be at liberty to make such deposit on the responsibility of the Republic, subject however to the following conditions : First for every such deposit, a certificate or receipt shall be given by the Treasurer of the Republic, to the individuals making the deposit, stating the amount deposited and the date of the deposit. If the person or persons so depositing, desire the amount held subject to his or her agents' order, to be withdrawn at any indefinite time, then such fact shall be expressed in the certificate or receipt to be given by the Treasurer. On such deposit no interest shall be allowed to accrue, but no charge shall be made on said amount by the Republic of Liberia or the Treasurer, for the receiving or delivery of said money. Second : on every deposit made for a term of three years four per centum shall be allowed ; on every deposit for four years, five per centum shall be allowed ; and on every deposit for six years or more, six per centum shall be allowed : In every case of deposit where a definite term is intended, the Treasurer of the Republic of Liberia shall grant a certificate or receipt stating in full the amount and date of deposit, and the name or names, if there be more than one, of the party or parties making the deposit, and shall register the same in a fair and legible hand, in a book to be provided and kept for that purpose.

2. Whenever monies are deposited in the Treasury of this Republic, for either of the definite terms or spaces of

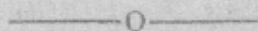
time expressed in the first section, no charges for receiving or paying out shall be made by the Republic of Liberia or Treasurer on the amount so deposited, but the interest shall be clear over and above the amount so deposited.

3. The interest accruing on said deposit shall, if demanded by the party or parties making the deposits, or by his or their agents, be paid semi-annually; and in every case of payment of said interest, the party or parties receiving said interest, shall give to the Treasurer a receipt for the same; stating not only the amount received, but the amount on which said interest accrued, the time at which it became due, and the date of the deposit on which the interest accrued.

4. No monies deposited in the Treasury of this Republic, under the provisions of this Act, shall be entitled to be drawn out until three months previous notice has been given of an intention to withdraw it; any thing to the contrary in this Act, notwithstanding.

5. No monies shall be deposited in the Treasury of this Republic under the provisions of this Act, except in the Treasuries of Grand Bassa and Monrovia.

6. The treasurers of the Republic of Liberia, shall be allowed the same per centage on amounts deposited under this Act, as on the money of the Republic; they shall be equally bound by themselves and sureties for their safe and faithful keeping, and their bond shall be increased to meet the provisions of this Act.



ARTICLE I.

AN ACT REGULATING THE RESIDENCE OF NATIVE AFRICANS WITHIN THIS REPUBLIC.

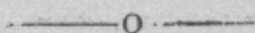
SECTION 1. All Native Africans, who may become residents or remain within the corporate bounds of the several counties of this Republic—whether adults or minors, shall be compelled to wear clothes, under the penalty of being fined in a sum not exceeding five dollars, nor less than one dollar.

2. No native youth under the age of eighteen years shall be allowed to dwell in the families of colonists, without being bound for a specified term of years, according to the rules prescribed in an Act concerning apprentices.

3. All male natives from the age of 16 years to 60, resi-

dent within the several townships, shall be compelled to work the same number of days directed by law for Americans ; they being ordered out at the discretion of the Commissioners.

4. Liberated Africans incorporated in the Republic, and who shall be deemed capable of managing, shall receive small grants of land.



ARTICLE I.

AN ACT ENCOURAGING AGRICULTURE.

Whereas it is important that the Government take an active part in encouraging National Industry ; and whereas the wants of our agricultural interests imperatively demand assistance in the manufacture of the products of the country and preparing them for market ; and whereas the time has arrived, as is found in the wants of the country and the condition of our finances : therefore, for the encouragement of agriculturalists and laborers throughout the Republic :—

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled :—

1. That, from and after the passage of this Act, the President is hereby authorized and requested to have imported into the Republic,—on the application of any number of citizens of this Republic, asses to carry on farming operations, &c, they giving orders, with accepted obligations, for said animals to be imported at their expense not to exceed the cost and charges of such purchase and importation—a number of asses as may be so ordered, from time to time, until said orders are complete ; also, one Steam Mill of four horse power, and six three roller horizontal sugar mills, to be propelled by physical or animal force : and further, to import any other animals that may appear to meet the wants of the people, provided it does not exceed one hundred of each, of the best breed that can be procured.

2. It is further enacted—That each Mill shall have its full number of kettles, not to exceed seven to each Mill, with every fixture and utensil that is used in the manufactory of sugar in other countries—or that may be found nec-

essary to facilitate the manufactory of sugar and syrup.

3. That the President be and he is hereby authorized and requested to procure the above named animals and machinery on the faith and credit of the Republic, if necessary to be paid in two instalments, and at an interest not to exceed ten per centum.

4. To carry out this Act, the President is authorized to appoint some suitable person, a citizen of the Republic, if he find it necessary, to proceed to Europe, or the United States, or any other land, and procure at the most reasonable rates, the above named machines and animals.—And, further, the said person shall receive for compensation an amount not to exceed five hundred dollars and expenses.

5.—It is further enacted:—That so soon as the machines shall arrive; the Steam Sugar Mill and four of the three roller horizontal mills shall be located on the St : Paul's river, at the most advantageous situations, so as to meet the circumstances of the people, the mills are to be set up with their fixtures, at the expense of the Government. A suitable person shall be appointed to take charge of the steam Sugar Mill, and to superintend it in its operations. All persons wishing to manufacture cane shall deliver it at the mill. It shall be the duty of the Superintendent to receive all cane so delivered, and proceed to manufacture it into sugar or syrup, as the person may wish. He shall weigh the sugar and measure the syrup, and deliver the same to the owners, deducting one sixth per centum for tolls. He shall have power to employ a sufficient number of hands to attend the operations of the mill and the manufacture of the cane, and all and every expense shall be under his control. He shall keep an account of all expenses, and all sugar or syrup manufactured by him, and make a report each quarter to the Secretary of the Treasury. The Secretary of the Treasury shall order the sale of the produce collected for toll and receive the monies to be paid into the Treasury. The Superintendent shall give bond and security for the faithful performance of his duties. The Superintendent shall receive a compensation not to exceed *Thirty dollars* per month.

6. It is further enacted,—That one of the three horizontal mills shall be located in Grand Bassa County, and one in Sinoe County, which mill shall be set up with their fixtures, at the expense of the Government.—They may be placed under the care of some judicious person, who shall collect one twelfth per centum toll and pay it over as provided in the 5th Sec : and see that the mills are worked carefully ect. ect. and kept clean and in order. The provisions of this section shall apply also, to the horizontal Mills in Montserrado County.

AN ACT AUTHORIZING THE SETTLING OF LAND DIFFICULTIES
IN THE SETTLEMENT OF CALDWELL, AND SURVEY OF LANDS
IN ALL THE SETTLEMENTS OF THE REPUBLIC WHERE
DIFFICULTIES EXIST.

Whereas there exists in the settlement of Caldwell, or that portion of the settlement which is laid off into a Township, considerable dissatisfaction amongst the settlers arising from an arrangement entered into in the year 1852 between the Agent of the American Colonization Society and the settlers of that place for the surrender of certain farm lands which were owned by the said settlers so as to have that portion of the said settlement laid off into a Township with the understanding that the parties to whom said farm lands belonged should receive in lieu thereof one alternate lot into which said farm land was divided and also receive the same complement of farm land as surrendered at some other point where they might select; which arrangement on the part of the Agent of the American Colonization Society in every respect was not complied with, many of the settlers did not receive their farm land, and the lands as laid off into Town lots have been improved and deeded to the parties under the regulations of the American Colonization Society in relation to the distribution of lands to emigrants, and at the same time there have been no transfers made of said lands by the former owners, and some of them or their heirs now hold original deeds for a portion of said lands (now Town lots) and demand a compliance with said agreement that they may come into possession of their farm lands, otherwise they must contend for their legal right under the deed which they hold, and which would tend greatly to the disadvantage and damage of parties now holding said lands under deeds from the Society's Agent.

And whereas the citizens of Caldwell have petitioned the Legislature to authorize such steps as they may deem prudent, to cause an amicable adjustment of the matter and to give to the parties concerned their just dues as per arrangement before mentioned, that the parties now in possession of lands may continue to hold possession unmolested.

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled,—

1. That, from and after the passage of this Resolution, the President be, and he is hereby authorized and requested to appoint two discreet persons as Commissioners, whose duty it shall be at as early a date as possible to repair to Caldwell for the purpose of hearing and investigating all claims presented by the different parties for lands under the arrangement entered into in the year 1832 by the Agent of

the American Colonization Society.

2. And further—That they shall be authorized to swear witnesses, hear their statements and receive any documentary evidence touching the claims, and fairly and impartially investigate all such claims, giving their decision as to their opinion of the legality or illegality of the claims so investigated and give to the parties concerned, in writing their decision or opinion; in all such cases when the parties are not satisfied with the decision of the Commissioners, they have further redress at the regular Courts of law.

3. And further—The Commissioners shall publish in the several Townships of Montserrado County, at least fifteen days previous to the days on which they will commence their investigation, giving notice that they will be ready to receive all claims for lands under arrangements as heretofore set forth, naming the day and date on which the investigation will commence, giving all particulars, that parties may be fully prepared with evidence &c.

4. And further—That the Commissioners shall keep in a book furnished for the purpose, minutes of all their proceedings and their decision on each claim investigated, and shall report to the President all their proceedings with the claims set forth and their decision. The President on receiving the report of said Commissioners, is hereby authorized and requested to apportion to such person or persons whose claims, according to the the decision of the Commissioners, are legal, the quantity or quantities of land as their claims may call for, and at such points as may be selected by them, excepting reserved lands. The said Commissioners shall receive for their services to be paid by the government the sum of Three dollars per day, while in actual service, and mileage according to law.

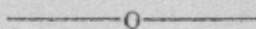
5. And further—That the President be, and he is hereby authorized and requested (at as early a date as possible) to have surveyed all of that portion of the settlement of Caldwell which was laid off into a Township, and have a correct plot taken of the same if there is none, giving the name of the owner of each lot, and their number, and to ascertain the number of lots remaining, belonging to the government, that the same may be apportioned to emigrants; or otherwise disposed of on application, according to law.

6. And further—As the citizens of Caldwell are willing to render every assistance to the surveyor who may be appointed to survey said Township of Caldwell—That the Surveyor receive for the survey and plotting of the Township of Caldwell the sum of Seventy five dollars to be paid by the government; any law to the contrary notwithstanding.

7. And further—That the President appoint two discreet

persons of the aforesaid Settlement, whose duty it shall be to superintend the survey, so as to be calculated to sign the required certificate for the correctness of the survey according to law.

8. And further—That the President be, and is hereby authorized and requested, on application of any person or persons holding a deed or deeds for lands drawn or purchased from the government in any of the settlements or villages of this Republic ; said difficulties to be settled at expense of the government, supposed to bear a wrong number or giving a wrong course or situation : to make such arrangements for the investigation of the same, as he may deem advisable to correct said error, if any ; and on being satisfied that an error or errors exist in said deed or deeds to correct the same, by altering the deed or deed, or apportioning land to the person or persons concerned, at some other point.



AN ACT FOR THE RELIEF AND EMPLOYMENT OF THE POOR,

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled :

1. That the support and maintenance of aged widows, destitute orphans, poor persons and invalid poor, and all insane persons destitute of support, shall be borne by the Republic, under the following provisions :

2. It is further enacted :—That manual and mechanical labor asylums shall be provided for such classes of individuals as are named (whether colonist or natives,) in the first section, in each of the counties of this Republic, to be styled *County Poor Houses*. Each house shall be forty feet by thirty feet, two stories high, of nine feet each, with passages running through the centre, and two rooms in the Attic ; so partitioned, as to make four rooms on each of the floors of the two stories ; with a piazza in front of the building ; the walls to be of brick, or stone, or good durable wood material : and that a superintendent be appointed by the President, with the advice and consent of the Senate, whose business it shall be to superintend and manage the operative concerns of the said institution.

3. It is further enacted :—That all male inmates of the said County Poor Houses, not disabled by disease or otherwise, shall be employed in the cultivation of a farm, which shall be connected with the establishment : or any other kind of labor that may be instituted about the premises until the

overseer and commissioners shall judge them capable of taking care of themselves; and all articles used by the inmates of said establishment, from the farm, shall be accounted for to the Secretary of the Treasury, and the proceedings arising from the sale of any surplus shall be paid into the public Treasury. The President shall appoint a discreet person to choose any track of land not otherwise appropriated which may be used for the establishment; not however, to exceed one hundred acres.

4. It is further enacted:—That a number of cards, wheels, looms, knitting and sewing needles, shall be provided for the use of all females who reside in the County Poor House so that they may be employed in carding, spinning, weaving, knitting and sewing: and, to the end that there be no idlers about the institution, the requisite quantum of wool, cotton, flax, hemp, and such other materials as may be manufactured into useful articles for the convenience of the country, shall be kept constantly on hand.

5. It is further enacted:—That there shall be a matron employed, whose duty it shall be to take care of the children, and see that cleanliness is strictly observed, under such rules as the board of commissioners may from time to time point out to her. And she shall receive a compensation for her services, to be fixed by the said commissioners.

6. It is further enacted:—That, for the improvement of the inmates of this institution, carpenters, rope-makers, blacksmiths and such other mechanics as the improving state of institution may demand may be employed in and about the establishment, for the purpose of instructing the inmates in the several branches.

7. It is further enacted:—That the poor of this Republic shall not be allowed to wander about from one settlement to the other but shall be taken by the officer appointed for that purpose, and placed under the care of the Superintendent of the County Poor House—the Government paying, out of monies appropriated for this purpose, the expenses of such removes to the Poor House.

8. It is further enacted,—That a board of seventeen commissioners shall be appointed annually by the President with the advice and consent of the Senate, seven for the County of Montserrat: five for the county of Grand Bassa and five for the County of Siroe. This board shall regularly inspect, once in every three months, these institutions, and make annual reports to the Legislature, of the condition of the health of the inmates, and their improvement in morals, education, and mechanic arts—whether they are properly fed and clothed—what the state of discipline, the receipts and expenditures of the County Poor House, and suggest any plan of improvement, they may

deem expedient.

The Board shall include, also, in their reports, the number of paupers, invalids, aged widows, destitute orphans, and insane persons in their respective Counties. It shall be the duty of said Commissioners to prescribe the rates of allowance for the support of the inmates of said institution, and to ordain such rules and regulations for the government of the establishment not otherwise provided by law.

9. And it is further enacted:—That there shall be kept a record of the names of the inmate of each County Poor House, by the Superintendent—which record shall be handed to the Commissioners, in time to be included in their annual reports to the President.

10. It is further enacted:—That so much of the duties as arises from the importation of ardent spirits, wines and cordials, in this Republic, be, and the same is hereby appropriated to carry out the provisions of this act, and the President is hereby authorized to draw on the public Treasury for the same, and as soon as a sufficient amount of monies from said duties are collected to justify the commencement of said Poor Houses, he is hereby requested to commence the erection of said buildings.

11. It is further enacted:—That, as an explanation, so much of this act as refers to the employment of mechanics, carpenters, rope-makers, blacksmiths, &c, and the procuring of cards, wheels, looms, &c, and the "requisite quantum" of wool, cotton, flax, hemp, &c, be, and the same is left to the judgment of the President, as to whether he should provide them, until after the above buildings for the poor are erected, or not; and then only such of the above named mechanics and materials &c, as he may deem expedient, for the useful and necessary operations of said Poor Houses, and as the money arising from said duties may justify.

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AN ACT CHARTERING THE CITY OF MONROVIA.

Whereas the citizens of Monrovia, in the County of Montserrado have petitioned the Legislature to constitute them a "Body Politic" and "Corporate," by ratifying and granting a Charter, by them drawn up and herewith presented: therefore:

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled:—

SECTION. 1. That the inhabitants of the city of Monrovia be, and they are hereby constituted a *Body Politic* and *Corporate* under the name and style of Mayor, Aldermen Common Councilmen and Freemen of Monrovia, and by such name may sue be sued, implead and be impleaded, and do all other acts that are usually done by such corporate bodies.

2. The Common Council shall consist of nine members, residents of the city of Monrovia, of whom one shall be chairman.

3. The city of Monrovia shall have jurisdiction within the Corporate bounds of the said city—the corporate bounds shall be three miles square—and in case it should be necessary to execute lawful process without the bounds of said corporation, then and in that case, any magistrate residing within said County may issue judicial process on representation of any city officer being made to him, and the same may be executed by any constable of the County.

4. The Corporation aforesaid shall have full power and authority to make and fulfil contracts, take and hold real and personal estate to the value of one hundred thousand dollars, and levy all such taxes as may be necessary for city purposes; shall pass all necessary municipal laws and ordinances:—said *Body Politic* shall have full power to settle its own rules of proceeding to appoint its own officers, regulate its own fees, and all other necessary acts not incompatible with the general laws of this Republic.

5. All ordinances and municipal laws established by the Common Council shall be subject to the approval or disapproval of the Mayor; if disapproved, his objection shall be made to the Common Council, within three days, and if not returned within, three days, such delay shall be equal to approval, provided, however such delay be not occasioned by the adjournment of the Common Council. The Common Council may, nevertheless, by a vote of two thirds of its members, pass any law independent of the Mayor's approval.

6. The first election of city officers, shall take place on the first Monday in April 1855. All other elections shall take place on the second Monday in January in each year, (except the Mayor, who shall be elected biennially,) and shall be conducted according to the laws governing elections for state officers, under such modifications and restrictions as the Common Council may ordain. The elective officers shall be one Mayor, four Aldermen, and nine Common Council men, all of whom shall hold their office for the term of one year: except the Mayor, who shall hold his office for the term of two years, unless vacated by resignation, removal or death; vacancies may be supplied by special elections. No person shall be eligible to the office of May-

or, who is not a resident of the city of Monrovia, and who does not possess unencumbered real estate to the value of three hundred dollars. No person shall be a Common Councilman who is not a resident of said city, and who does not possess unencumbered real estate to the value of one hundred dollars. No person who does not possess real estate in the city of Monrovia shall be allowed to vote.

7. There shall be a city Court, which shall be composed of three Aldermen; one of whom shall be chairman whose duty it shall be to try and determine all cases coming into the same, except such as may be taken therefrom by appeals, as is hereinafter provided for. The Aldermen shall, within the precincts of the city, exercise the functions of a justice of the peace, whose duty it shall be to try and determine all petty offences, and appeals may be had from their decision to the city Court, and from which appeals may also be had to the County Court. The said city Court shall, by its own clerk, keep detailed records of all matters and things which shall come before it, in a book, or books, provided for that purpose, which, when full, shall be delivered to the Secretary of State, for preservation among the archives of this Republic.

8. The Common Council shall hold its first session on the first Monday in April. All impeachments of officers shall be made to the Mayor, who may, if said impeachments be sufficiently grounded, suspend such officer or officers, until the next ensuing session of the council, which shall try all such impeachments.

9. The Mayor, Aldermen, and Common Council shall have power to lay out new streets, highways and public walks or parks, and shall have power to appoint inspectors of all kinds of produce brought into or exported from the city, together with inspectors of weights and measures.

10. The Mayor of said city shall be chief Executive Magistrate thereof, and it shall be his duty to be vigilant and active in causing the laws thereof to be executed and enforced, and he shall be conservator of the peace within said city: he shall recommend to the City Council at its regular session all such measures as in his opinion would enhance the condition of the streets, avenues, highways and public walks of the same, as well as to point out all nuisances of whatever kind, and recommend measures for their removal. He may, when actually necessary, for the preservation of the public peace, or for the suppression of mobs, riots, quarreling or insurrections of whatever nature, order out the Militia, which shall, by force of arms, compel such insurrectionists to obedience, the Mayor alone being responsible for the abuse of his power.

11. If this Charter, or any of its provisions, shall be found inconvenient, or inadequate in any respects the same

may be revoked altered or supplemented on representation properly made by said city authority, by petition to the Legislature of Liberia.

12. This Charter and all of its provisions shall go into effect on the first Monday in March 1855. Any law or Charter to the contrary be, and the same is hereby repealed.

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AN ACT AUTHORIZING AND DIRECTING THE FORMATION OF
A SETTLEMENT AT GRAND CAPE MOUNT IN THE COUNTY OF
MONTSERRADO.

*It is Enacted by the Senate and House of Representatives of
the Republic of Liberia in Legislature Assembled.*

SECTION. 1. That the President be and he is hereby authorized and requested, to adopt such measures as may be deemed most advisable to carry out the provisions of this act by securing the services of seventy five volunteers (able to proceed to Grand Cape Mount in the service of the government, and to be governed by the appended rules, and such other rules and regulations as the President may deem necessary for the establishment and security of a Settlement. Rations of said volunteers, shall be in quality and quantity the same granted to the Militia when in actual service. The services to be rendered by said volunteers, shall be regulated by the President, or by such officer or officers, acting under his instructions, as he may appoint to perform such duty.

2. That the volunteers shall enlist to serve twelve months, they shall be paid for service rendered at the rate of Eight dollars per month, and as an inducement to settle permanently at Cape Mount. (The President is requested to procure such volunteers, as wish to settle permanently at Grand Cape Mount if possible) each volunteer shall receive as a bounty, one Town lot, and Thirty acres of farm land.

3. That the President is further authorized, if circumstances will warrant it, to proceed to Cape Mount at an early day, for the purpose of selecting a suitable site, and direct the laying out of a Town, to be called "Roberts Port," as a token of respect for the many valuable services rendered by the illustrious Chief Magistrate of this Republic. The lots in said Town shall be one quarter of an acre of land, and adjacent there shall be Farm lots laid out of ten acres each, and the plan of the Town, width of the streets, the number and size of the public parks (if any) shall be left to the direction of the Executive, whose name it is intended to bear: and in case the circumstances will not warrant the President's proceeding to Cape Mount, he is authorized to

appoint some judicious person or persons, to superintend the same.

4. The President is hereby instructed and authorized, to elect and appoint such officers for said settlement, as he may deem necessary, and shall fix the pay of the acting officers, and shall take any and all necessary measures for the defence and protection of the place, by having erected a Stockade or Block house, as may be found requisite, or if at all needed for common defence, and as the extension of settlements along our coast, when practicable, is desirable and in this case, also the securing of peace to the County. The President is requested, in person or by commissioners, to use any and every conciliatory effort possible, to secure this desirable end.

5. It is further Enacted,—That the sum of Four thousand dollars be, and the same is hereby appropriated out of any money in the Public Treasury, to carry out the provisions of this Act, and that the President be and he is hereby authorized to draw on the Public Treasury for the same.

The Government being about to found and build up a settlement at Grand Cape Mount, the following regulations shall be in force until otherwise ordered. The rules shall be read or otherwise made known to every person wishing to become a volunteer, and his consent to be governed by them, obtained before his name be registered as a volunteer.

1. The settlement shall be governed by such ordinances as the President shall from time to time ordain, and to, which every settler or volunteer shall be requested to conform.

2. There shall be an Intendant of the settlement—three Magistrates and two Constables. The duties of the first, and his remuneration and immunities, if any, to be fixed by the President until the meeting of the Legislature.

3. Each volunteer shall engage to remain at the settlement Twelve Months: an abandonment of the settlement before the expiration of that time, shall operate to the forfeiture of all claims for bounty of every description.

4. Each volunteer shall faithfully and promptly obey all such laws, as may be, from time to time made, whether by the President, Legislature, or Committee of Vigilance for the government of the settlement—and all regulations which may be made by the said committee for temporary and local purposes, shall have the force of law until repealed or revoked.

5. The President may at pleasure revoke any law made by the committee of vigilance.

6. The Intendant of the settlement shall name three persons from among the volunteers, who with himself and the

Magistrates shall constitute a committee of vigilance :—five of whom shall be competent to act. Their duties shall be to direct and to determine such duties of protection, defense, or police, as may not be specifically assigned to the Intendant by the President or Legislature, and which may be deemed necessary to the safety and prosperity of the settlement.

7. At the expiration of Twelve Months, each volunteer shall be entitled to a deed in fee simple for one town lot and, thirty acres of farm land: provided the claim therefor shall not have been forfeited. The legal representatives of any volunteer who shall have gone to the settlement, but died before the expiration of twelve months shall be entitled to to his land, and the title shall vest in said representative in the same manner as it would have vested in the volunteer, had he survived the twelve months.

8. Each volunteer during the first three months, shall, in addition to the regular military and police duty, which may be enjoined by the Superintendent or Committee of Vigilance, give two days service gratis, in clearing lands, erecting defences, cutting lines for surveys.

9. When a site for a town shall have been selected, and a plot for the same made out, the volunteers shall be entitled to draw lots, and a certificate shall be given to each one so drawing, and his name marked on the corresponding number in the plot, and registered in a register to be kept by the Superintendent for the purpose. The same rule shall hold in the allotment of farm lands: subjected however in every case to such reservations as may be made for governmental purposes.

10. The word volunteers are meant to apply exclusively to such persons as shall or may be selected to go up and form the settlement.

11. The President or Legislature may make from time to time any other regulations not repugnant to the above.

12. The volunteers shall constitute one military company, under the command of one Captain, two Lieutenants, one Ensign, four Sergeants and four Corporals; the Captain, Lieutenants, and Ensign, shall be named and commissioned by the President, the others to be elected by the company. It is understood that this company is a temporary institution to be disbanded at the pleasure of the President. The company is to drill twice a day if necessary, and shall do such duty day and night, as sentinel and guard as the exigency of the case may require.

13. The regulations in regard to military duty shall bear equally upon all persons whether volunteers or not, who shall be residing the settlement; Provided there shall no foreigners be included in the above arrangement.

14. The commissioned officers of the company, or a ma-

majority of them, shall compose a board, and be competent to try all offences which do not involve the life of the offenders, and shall have the same authority to inflict punishment and impose fines, that is granted by law to a Regimental court martial.

15, Each volunteer shall be held responsible for all public property which may be placed in his charge.

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ARTICLE 1.

AN ACT CONCERNING ELECTIONS.

	SEC.
Judges and Clerks of Elections how appointed—their duties.....	1
Elections how organized.....	2
Fraud of bribery in elections.....	3
Plurality of votes to decide except President, and Vice President.....	4
When the polls to be opened—votes how returned.....	5

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled:—

SECTION 1. That for the election of President and Vice-President, of the Republic, Senators and members of the House of Representatives, there shall, by the Monthly Court in each County at its April Sessions be appointed two Judges, and two Clerks for each town or village in which the election is to be held. It shall be the duty of the judges to take the supervision of the election at the time and place, and in the manner prescribed by law—to receive and count the tickets—to see that they are properly and correctly registered, and that the election be in all cases, conducted according to the provisions of law. The Clerks of the election shall register the votes under the direction of the Judges.

2. The Sheriff, or his deputy, shall organize the election, by administering to the Judges an oath suitable to the occasion, and one of the Judges shall administer a suitable oath to the Clerks. Should any Judge or Judges, or Clerk or Clerks so appointed and notified as directed in the first Section of this Act, fail to attend, the Sheriff or his deputy is hereby empowered to supply such deficiency by the appointment of some responsible suitable citizen or citizens to act as Judge or Judges, or clerk or clerks as the case may be: And their acts shall have all the authority as if they had been appointed by the court.

3. Any persons who shall be convicted of changing or

causing to be changed, by fraudulent or deceptive means, any ticket or tickets in the ballot box, shall, for every such offence forfeit and pay the sum of fifty dollars. And any candidate for the office of President or Vice President, or for either branch of the Legislature of this Republic, who shall by himself, or through others give or cause to be given, any entertainment or other consideration to any voter or voters for the purpose of influencing his, or their vote, or votes, shall, on conviction before any tribunal competent to try the same forfeit and pay the sum of one hundred dollars : and all persons concerned in violating this Section, shall on conviction as aforesaid, be subject to a like penalty of one hundred dollars : and any person who shall be convicted of receiving a present, credit or other consideration for his vote in favor of a candidate, shall for every such offence forfeit and pay the sum of five dollars and said vote or votes shall not be counted in making up the returns.

4. Excepting for the office of Presidency and Vice Presidency, a plurality of votes shall decide the election ; but in cases where two candidates for either branch of the Legislature shall have an equal number of votes, the Legislature at its first session after the election—shall determine the election by ballot.

5. The election shall be holden but one day, and the polls shall be opened at nine o'clock A. M. and be closed at six o'clock P. M. It shall be the duty of the Sheriff or other person acting in his place, immediately on the closing of the polls, to count in the presence of the Judges of the election the number of votes given in for each candidate. He shall write down the number given in for each candidate for the Senate or House of Representatives, opposite the candidate's name ; And the Sheriff and Judges of the election shall sign the said Register, and forward the same immediately, under seal to the Secretary of State ; a copy of said Register authenticated as aforesaid, shall be deposited in the office of the Clerk of the County Court. The vote for President and Vice President shall be transmitted under seal, to the Secretary of State.

6. All laws, ordinances, and regulations repugnant to this Act shall be, and they are hereby repealed.

ARTICLE I.

AN ACT AUTHORIZING THE OPENING OF AN AVENUE IN THE INTERIOR OF CLAYASHLAND, AND PROVIDING FOR AN INTERIOR TOWNSHIP.

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled:

SECTION 1. That, from and after the passage of this Act, the President be, and he is hereby requested and authorized to have laid out an Avenue for a highway between the Township of Clay-Ashland and the College Reserve, to be styled Johnson's Avenue; said Avenue to commence at the margin of the River St. Paul's, running back in the direction north 30: East (with the same as that of the street between the Town of Clay Ashland and College Reserve) to a line running in the rear of the Town and College grounds, and parallel with the River St. Paul's, sixty-six feet wide, and running to the extreme boundaries of Clay-Ashland, on the other side of said Avenue—Johnson's Avenue crossing said cross road, dropping out on either side, making the width of said Avenue 100 feet, and running a direct course as before described, 15 miles.

2. And it is further enacted, That the President be, and he is hereby requested and authorized to have laid out on either side of Johnson's Avenue, commencing at the cross roads heretofore specified.—Lots of 10 acres, fronting on Johnson's Avenue width 20 rods, and running back a depth of 80 rods, and in blocks of 16 lots, fronting on each side of said Avenue. Cross roads 60 feet wide crossing said Avenue at right angles, running parallel with the cross road before named and to the same extreme boundaries at the extent of each block throughout the length of said Avenue:—And further, to have all back lands hereafter to be surveyed within the boundaries of Clay-Ashland, surveyed fronting on Avenues of the same width and running parallel with Johnson's Avenue, and surveys to be after the same manner as described for the surveys of lands fronting on Johnson's Avenue; and Johnson's Avenue to be the starting point for the surveys of all back lands and avenues not heretofore surveyed and described by deeds. Avenues running parallel with Johnson's Avenue to be 160 rods distant from each other, and the rear boundaries of lots fronting on Avenue coming next to Johnson's Avenue to join the rear boundaries of lots fronting on Johnson's Avenue, forming a block of 32 lots, including the block of 16 lots fronting on Johnson's Avenue, and all other surveys and cross roads on Johnson's Avenue.

3. And it is further enacted. That the lands may be sold as well as drawn, on Johnson's Avenue, but in all cases to be drawn or sold in regular order excepting where swamp intervene; any law to the contrary notwithstanding.

4. It is enacted, That when the said Avenue shall have reached the distance of 15 miles, the President be and he

is hereby authorized and requested to have laid out a square plot of 300 acres into a Township to be called Newport, in honor of the heroine, Matilda Newport, each lot in said Township to contain a half acre of land and no more, and laid out in blocks of two acres; Johnson's Avenue running through the centre of said Township and streets—feet wide crossing each other at angles throughout said Township:—and he is further requested and authorized to have a correct plot made of all lands already surveyed, and that may hereafter be surveyed and avenue laid out, within the boundaries of Clay Ashland, Johnson's Avenue and Township of Newport.

5. That so much of the said Avenue as may be necessary and the lands on said Avenue shall be surveyed immediately after the passage of this Act, and that the President be authorized and requested to have it attended to according to the provisions of existing laws for surveys &c:—and that the sum of three hundred and fifty dollars be, and the same is hereby appropriated to commence the opening of said Avenue; and the President be, and he is hereby authorized to draw for the same; and should it be necessary to alter the direction of said Avenue after clearing College Reserve, that the President be, and he is hereby authorized to give instructions respecting the same.

ARTICLE 1.

AN ACT AUTHORIZING THE PLACING OF SINOY COUNTY IN A STATE OF DEFENCE, AND THE BUILDING OF BLOCK HOUSES AND ARMORIES IN THE COUNTIES OF GRAND BASSA AND SINOY.

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled:—

SECTION. 1. That the President be requested and, he is hereby authorized to use all possible despatch to have the County of SinoY placed in a state of defence by having deposited in that County two hundred and fifty Public muskets in addition to what is now there, also a sufficient supply of powder and balls (or lead and balls and buck shot moulds) for cartridges and all other munitions of war that he may deem advisable, and have in his power to have supplied; and that there be also deposited in the County of Grand Bassa two hundred muskets with the addition of powder and balls &c, as provided above for SinoY County.

2. And further. That such cannon as are now in SinoY County that can be made available, be fitted up with sub-

stantial carriages, and to be located at different points as may be selected, so as to be made available in case of necessity, and where there are none, to have temporary gun-houses constructed of native material for building, until otherwise provided for.

3. And further. That the Commissary for Sinou County be instructed with the advice of the Commander of the Regiment to have fitted up for temporary security of Public arms, ammunition and other munition of war, a suitable room or rooms not exceeding two as may be procured for the present purpose until otherwise may be supplied by the government.

4. And further. That arrangements be made (agreeably to the law governing public works) for erecting in the County of Grand Bassa one Block house, and in the County of Sinou two Block houses at such points as may be selected as being best suited for the fortification of said Counties; the said houses to be of a sexangular or hexagonal shape, sixteen feet in diameter and fifteen feet high, to be built of good durable timber, squared and not less than twelve inches, the logs to be fitted so as to make close point, to have a shingled roof and to have a substruct floor for cannon, elevated six feet from the base. In the basement to have one door three and a half feet wide by five high, and fifteen loop holes four inch square equally proportioned around on the cannon floor to have six port holes two and a half feet square, to have good durable and substantial shutters not less than two and a half inches thick for the port holes and door, to be hung with good, substantial hinges to suit the same, and plugs for the loop-holes; each house to be mounted with not less than two cannon with carriages in good order.

5. And further. That there be erected in the Counties of Grand Bassa and Sinou, each a suitable house for government Armory to be constructed of Stone or Bricks and to be twenty one feet long, sixteen feet wide and sixteen feet high, first floor elevated six feet from the base, making a basement of six feet in the clear to be used as a cannon house, on the first floor to be a partition running across the house, and running up to the combing, making one end a room of eight feet. The floors and partitions to be laid of seasoned plank, and to be tongued and grooved, the house to have a door to each apartment, both to be on the same side and near each corner just clearing the side braces, and a window in the opposite side facing the doors. The eight feet apartment to be used as a magazine until other arrangements are made for a magazine; therefore there will be no communication between the two apartments on the inside.

6. And further. That the sum of five thousand dollars be

and the same is hereby appropriated to carry into effect the provisions of this Act, and if the Executive find it necessary, he is hereby authorized and requested to effect a loan on the faith and credit of the Republic, of money sufficient from any citizen or citizens of either of the Counties aforesaid, on as reasonable terms as possible, to carry out the provisions of this Act, and that the President be and he is hereby authorized and requested to draw on the Public Treasury for the said amount.

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ARTICLE I.

Whereas His Excellency the President sets forth in his Message to the Legislature, the further continuance of that lively interest manifested by Samuel Gurney Esqr. of London, for the welfare and prosperity of the Republic of Liberia, by considering her wants, and his liberality in aiding by his influence, and means to have them supplied, and of his cordial co-operation in a measure proposed by himself in procuring for the Republic of Liberia a metallic Currency, which he thought Liberia ought to have, and which he readily proposed to furnish, which would cost about Two Hundred pounds, on condition that the government of Liberia would supply one hundred pounds, and that he would supply one Hundred pounds to meet the demand, which proposition was agreed to by His Excellency the President, assuming the responsibility on the part of the government :

Resolved by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled :—

SECTION 1. That the responsibility assumed by His Excellency the President in accepting the proposition of Samuel Gurney Esqr. of London, and his agreeing on the part of the Republic, to furnish one Hundred pounds, for furnishing the Republic of Liberia with a metallic Currency, meets the most favorable concurrence of the Legislature ; and further : do hereby appropriate the sum of Six hundred dollars, to meet the aforesaid amount, and any other charges arising, and the President be and he is hereby authorized to draw on the Public Treasury for the same.

2. And it is further Resolved, that the President be and he is hereby requested, to tender Samuel Gurney Esqr of

London, the thanks of this government, and the citizens generally for the liberal contribution made by him in aid, for the procuring of a metallic currency for the Republic of Liberia, and that they gratefully acknowledge the same.

AN ADDITIONAL ACT RESPECTING LIBERIA COLLEGE.

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled.

SECTION 1. That the number of Trustees of Liberia College shall never be less than nine, nor more than fifteen, including the President of said College, a majority of whom for the time being, shall constitute a quorum for the transaction of business, four of said Trustees to be appointed, and any vacancy in the number of said four to be filled from time to time, by the President of this Republic, and whenever a vacancy shall occur among the other members of said Board of Trustees, it shall be the duty of the Trustees to fill the same with all reasonable and convenient despatch; all said Trustees shall hold their offices during good behaviour, subject however to be removed in the mode hereinafter mentioned.

2. The Trustees of donations for Education in Liberia, a corporation created by the Commonwealth of Massachusetts, may appoint the officers of instruction and Government in said College, until it shall be otherwise determined by the Trustees of Liberia College.

3. The President of this Republic, upon the address of a majority of the Trustees of said College and after due notice and opportunity given to the parties concerned, to be heard before him, shall have power to remove from office any officer of said College, whether Trustee, President, Professor, Tutor or other officer, if in his opinion the public good demand it, and whenever such removal shall have taken place, the person or body having competent authority for the purpose shall forthwith proceed to fill the vacancy.

4. Such parts of the act incorporating said College, as are inconsistent with the provisions of this Act, are hereby repealed.

ARTICLE I.

AN ACT ESTABLISHING REGULATIONS FOR THE PERFORMANCE OF PUBLIC WORKS

Whereas it appears highly necessary that there shall be some specified regulations, clearly stating the manner in which Public buildings and work shall be offered, performed and finally discharged on all occasions in the several counties of this Republic :

Therefore it is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled.—That from and after the passage of this Act, all Public Buildings and other Public work, which from time to time, may be ordered to be done in any part of this Republic, shall by the Agent, Superintendent or other persons hereinafter provided be distinctly named described, measured, calculated, planned and summed by the square, and the amount of cost thereby ascertained according to the customary rule of charges, and he shall also give a description of the kind and quality of the lumber of which said buildings are to be composed, or the kind and quality of any other material, be it Brick or Stone, either of which are to be selected on all occasions of the most superior kind, the style and manner in which said work is to be executed, as well as the time within which it is to be finished, shall be clearly set forth in writing, and he shall on some Public day immediately after the adjournment of the Quarterly or Monthly court, or by publication made by himself if necessary in conspicuous places, at or near the place at which said work is to be done, offer and give to the lowest bidder, agreeably to the regulations hereinafter mentioned, the said work.

2. Any person or persons who may so agree to perform any Public work, which may be offered and sold as above stated shall be required on the same day on which said bid was taken to enter into Bond with good and approved security in double the amount for which said work may have been engaged, to ensure the good, faithful, timely, and mechanical execution, as may be agreed upon by contract or description given by the officer having charge of the same. And in all cases, where contracts cannot be entered into for the prosecution of Public work, the Agent, Superintendent &c, as appointed, shall, under the direction of the Secretary of the Treasury, prosecute said work to the best advantage.

3. Resolved that the President be and he is hereby authoriz-

ed and requested to appoint one or more individuals in each County of this Republic, whose duty it shall be under the direction of the Secretary of the Treasury to offer and give to the lowest bidder on the terms and according to the rules prescribed as above any Public work which may be authorized from time to time as aforesaid and placed under his care or notice, and he the agent, superintendent or other persons so appointed shall be required at the end of each quarter to transmit a report of his doing to the Secretary of the Treasury, setting forth the progress, completion, or general state of such Public work as may have been given him in charge.

4. Resolved that the Secretary of the Treasury be and it is hereby required of him that the report so forwarded to said Department by said agent, Superintendent or other persons so appointed by the President, be by him presented with the Treasurer's accounts at the annual session of the Legislature,

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ARTICLE I.

RESOLUTIONS RECOMMENDING AN AMENDMENT TO THE CONSTITUTION.

Whereas in the opinion of the Legislature, Sinou ought to have an equal ratio of representation with Grand Bassa County, the number of inhabitants being equal or nearly so;—and whereas in the opinion of the Legislature, the counties should be as far as practicable represented equally;

Therefore it is Resolved by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled,—and passed by the concurrence of two thirds of the members of each branch of the Legislature.—

That the 2nd section of the 2nd article of the Constitution be so altered and amended as to read that the county of Sinou shall have three Representatives.

It is further Resolved that the alteration and amendment be submitted to the People at the biennial election agreeably to the provisions of the 17th section of the 5th article of the Constitution, and the ballot shall be written "adoption or no adoption."

RESOLUTION ACKNOWLEDGING THE MUNIFICENCE OF THE FRENCH GOVERNMENT.

Whereas gratitude declares to this Government that it should make some public acknowledgement, of the philanthropy displayed by the French Government to this Infant Republic in the donation of one thousand stand of Arms and Accoutrements—

And whereas a National manifestation of the regard which that Nation has, at all times and on all occasions, had to the rising prosperity of this Republic, giving it its aid, whenever occasion required it and at all times expressing a kindly and friendly feeling to this Government as a rising Republic:—

Therefore:—Resolved by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled:—

That the President be and he is hereby requested to tender the thanks of this Government to his Imperial Majesty Louis Napoleon, Emperor of France and through him to the French Nation for the spirit of philanthropy evinced in their National present to this Republic, of one thousand stand of Arms and Accoutrements,—and the President is further requested to transmit a copy of the same to the French Government as a tribute of our gratitude to that magnanimous Nation.

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AN ACT FOR THE RELIEF OF JAMES HENRY

Be it Enacted by the Governor and Council in Legislature Assembled, and it is hereby enacted by the authority of the same:—

1. That from and after this date, James Henry be allowed an annuity of twenty-four dollars—to be obtained quarterly, on application to the Governor, out of the Commonwealth Treasury.

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AN ACT FOR THE RELIEF OF HARMON WHITFIELD

Be it Enacted by the Governor and Council in Legislature Assembled, and it is hereby enacted by the authority of the same:

1. That from and after the passage of this Act Harmon Whitfield be allowed an annuity in the sum of forty dollars

to be obtained quarterly, on application to the Governor, out of the Commonwealth Treasury.

ARTICLE I.

AN ACT TO INCORPORATE THE LADIES' BENEVOLENT SOCIETY OF MONROVIA

Be it Enacted by the Governor and Council in Legislature Assembled, and it is hereby enacted by the authority of the same:—

1. That, from and after the passage of this Act, Colinette Johnson, Susannah E. Lewis, Melinda Crawford, Frances Teage, Willy-Ann Yates, and all persons who now are or who hereafter may become associated a body corporate by the name of the Ladies' Benevolent Society of Monrovia, and by that name and style be capable of purchasing, holding and conveying such real estate as the purpose of the corporation shall require:—But the annual income of the real estate to be held by them shall not exceed three thousand dollars.

2. That the object of this Society shall be to relieve the distressed, and to administer to the necessities of those whose circumstances render them proper objects of benevolence—to encourage, recommend and diffuse by precept and example, virtuous and honorable sentiments and feeling.

3. That the management and disposition of the affairs of the said corporation shall be vested in a Board of Managers to be elected annually in the town of Monrovia, on the second Wednesday in November.

4. That the persons named in the first section of this Act, shall be the first Board of Managers of such corporation, and shall hold their office until the next annual election, or until others shall be elected in their place.

5. That said corporation shall possess the general powers, and be subject to the liabilities imposed on similar institutions in the United States.

6. That the Legislature may at any time alter or repeal this Act.

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ARTICLE I.

AN ACT TO INCORPORATE THE LADIES' DORCAS SOCIETY OF THE METHODIST EPISCOPAL CHURCH.

Be it Enacted by the Governor and Council in Legislature Assembled, and it is hereby enacted by the authority of the same:

1. That from and after the passage of this Act, Sarah Gripon, Mary Ann Benedict, Rebecca Moore, Melinda Crawford, Mary Ann Prout, Sarah Brown, Cherry Anderson, Amelia Burns, and all persons who now are, or who hereafter may become associated with them, are hereby constituted a body corporate by the name of the Dorcas Society of the Methodist Episcopal Church; and by that name and style be capable of purchasing, holding and conveying such real estate as the purposes of the corporation shall require:—But the annual income of the real estate to be held by them, shall not exceed the sum of three thousand dollars.

2. That the object of this Society, shall be to relieve the poor in Monrovia and elsewhere, as far as means can be obtained by soliciting subscriptions and donations in money, clothing or any other useful article, and to clothe converted natives in the neighbouring towns.

3. That the management and disposition of the affairs and property of the said corporation, shall be vested in a Standing committee, and an agent to be elected annually on the second Thursday in January, in the town of Monrovia.

4. That the persons named in the first section of this Act, shall be the first Board of Managers of said corporation, and shall hold their office until the next annual election, or until others shall be elected in their place.

5. That the said corporation shall possess the general powers, and be subject to the liabilities imposed on similar institutions in the United States.

6. That the Legislature may at any time alter or repeal this Act.

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ARTICLE I.

AN ACT TO INCORPORATE THE UNION SISTERS OF CHARITY OF MONROVIA.

Be it Enacted by the Governor and Council in Legislature Assembled, and it is hereby enacted by the authority of the same:—

1. That Mary L. Johnson, Rebecca M. Harris, Elizabeth Ciples, Marinda Cooper, Rachel Eden, Harriet Eden, Mary Hunter, and all persons who now are, or who hereafter may become associated with them, are hereby constituted a body corporate by the name of the Union Sisters of Charity, and by that name and style, be capable of purchasing, holding, and conveying such real estate as the purpose of the corpora-

tion shall require : — But the annual income of the real estate to be held by them, shall not exceed the sum of three thousand dollars.

2. That the object of the said corporation, shall be to assist to the utmost of their ability, all subjects of charity, by helping the widow, and relieving the orphan and needy ; clothing, feeding, educating and otherwise providing for such as the corporation may from time to time be enabled to take under its patronage.

3. That the management and disposition of the affairs of the said corporation, shall be vested in a standing committee, and an agent to be elected annually, on the third day of November, in the town of Monrovia.

4. That the persons named in the first section of this Act, shall be the first Board of Managers of such corporation, and shall hold their office until the next annual election, or until others shall be elected in their place.

5. That said corporation shall possess the general powers, and be subject to the liabilities imposed on similar institutions in the United States.

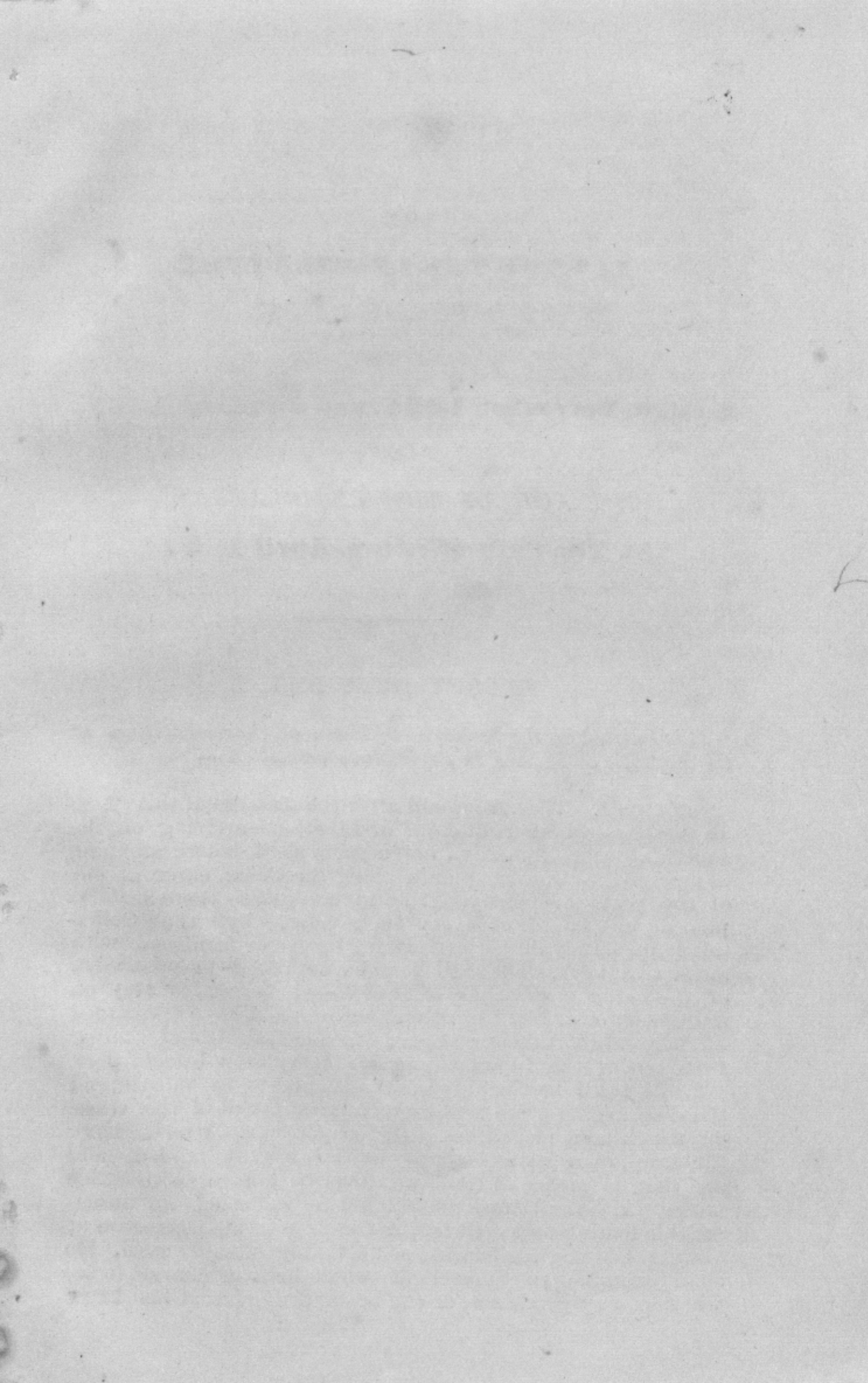
6. That the Legislature may at any time alter or repeal this Act.

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AN ACT RESTORING WILEY BROWN, EDMOND CURTIS, AND
ANDREW GREEN, TO THE PRIVILEGES OF CITIZENSHIP.

Be it Enacted by the Governor and Council in Legislature Assembled, and it is hereby enacted by the authority of the same : —

3. That, from and after the passage of this Act, Wiley Brown Edmond Curtis, and Andrew Green, be, and are hereby severally restored to the rights, privileges, and immunities granted to all other good citizens of this Commonwealth.



THE
ACTS OF THE LEGISLATURE
OF THE REPUBLIC, PASSED
AT THE
Session, December 1856, and January 1857;
ALSO
THE ACTS OF THE LEGISLATURE.
At The Called Session, April 1857.

EXPORT DUTY BILL.

It is enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature assembled:—

SECTION 1. That, from and after the passage of this Act, all vessels—whether foreign, or Liberian—arriving on the Liberian Coast from any foreign ports shall, before stopping at any of the trading points along the Coast, enter at one of the ports of entry. And in all cases there shall be placed on board of every such vessel by the Collector, immediately on her arrival, an Inspector furnished with locks and keys, who shall remain on board in possession of the hatch or hatches of said vessel during her stay on the Coast; or at least, until such vessel shall have discharged all her cargo, taken on board all her freight, and cleared from one of the Liberian ports of entry for a foreign port.

2. It shall be the duty of the Inspector to superintend the discharging of all the cargo from on board of the vessel on which he is placed, to note each package, barrel or box; the kind, quantity and quality of the freight landed, and see that no article of trade whatever be landed without his notice. He shall cause the hatches to be locked at unseasonable hours; and shall retain the keys in his possession at all times during the loading or unloading of said vessel. He shall examine the vessel of which he is in charge, to see whether any goods are, or can be landed without his know-

ledge. And if, in his opinion, the master, supercargo, owner, or any person engaged on board of said vessel, be inclined to smuggle goods or merchandize to or from the same, he shall instantly make report thereof officially to the Collector, who shall immediately proceed to examine the validity of said report; and should he find sufficient reason or grounds for said report, he shall enter a complaint to the Attorney General of the Republic, or attorney of the County, as the case may be, who shall prosecute vigorously the parties thus reported by the Collector. And in all cases in which any person or persons are convicted of smuggling, he, she, or they shall be fined in any sum not exceeding ten thousand nor less than five hundred dollars, in addition to the confiscation of the vessel and cargo, according to the magnitude of the crime, at the discretion of the Judge of the Admiralty Court.

3- It shall be the duty of the Inspector, as often as he shall be required by the Collector, to make true and correct returns to him of all goods or merchandize landed from on board of the vessel of which he is in charge—as provided for in the second section of this Act—and of all produce received on board of said vessel, the number of Puccheons, Barrels, Boxes, Bags, Billets, Packages, Rolls, Bundles, &c; the kind, quantity and quality of produce—howsoever put up—shipped on board for foreign market. He shall allow nothing to be landed or shipped from, or to said vessel, unless between the hours of six o'clock A. M., and six o'clock P. M., before and after which time, all of the hatches of said vessel shall be locked, and the keys retained by the Inspector, as before specified. He shall at all times, when required by any officer or officers of the Revenue, give any and all information, of which he may be in possession, calculated to enforce the Navigation, Commerce and Revenue laws of this Republic.

4. It shall be the duty of the Collector, or any other officer of the Revenue, to give information of any other officer of the Revenue, to give information of any neglect on the part of the officer or officers of the Navy to the Attorney General, or County Attorney, as the case may be; and said officer or officers, if convicted, shall be fined in any sum not less than one hundred nor more than ten thousand dollars, according to the magnitude of the case. For the neglect of any Inspector to note and take a correct account of all goods and merchandize landed or unloaded, and for neglect of duty in violation of the 2nd and 3rd sections of this Act, he shall be fined in any sum not less than five hundred nor more than five thousand dollars, in the discretion of the Judge of the Court having cognizance of the same. And for the neglect of any officer or officers of the Revenue in command of any Government vessel, to

obey any order or command issued by the President or Secretary of the Treasury, he or they shall be fined in any sum not less than two thousand nor more than fifteen thousand dollars, in the discretion of the Court; and for his or their refusal to render aid to the Collector or Inspector when called upon, he or they shall be fined in any sum not exceeding ten thousand dollars. The Court of Admiralty shall try and determine any and all of the above named cases; and in case of failure on the part of the defendant or defendants, to pay the above mentioned fines, he or they shall be imprisoned for any length of time not less than one nor more than five years, according to the magnitude of the crime.

5. And it is further enacted; That any master, supercargo, or owner of a vessel—Liberian or foreign—who shall come or anchor within the Liberian waters and refuse to receive on board an Inspector, shall be fined as follows; for the first offence, one hundred dollars; for the second offence, one thousand dollars; and for every similar refusal or offence, one thousand dollars; nevertheless the Inspector shall not, when he has been once refused, attempt to board the vessel a second time, until he shall have informed the Collector of his refusal. And in all cases where there is an attempt to smuggle, or land any goods, wares, or merchandize otherwise than is now provided for by law, the master, owner or supercargo shall be fined in any sum not less than one thousand nor more than ten thousand dollars, in addition to the confiscation of the vessel and cargo, in the discretion of the Judge of the Court of Admiralty.

6. And it is further enacted; That an *export* duty shall be levied, assessed and collected by the Collector, on the following named articles: That is to say, on all Palm-oil, a *specific* duty of one cent on each gallon; and on all articles of export not herein named, there shall be collected a duty of two per cent, *advalorem*, and on gold or silver coin, there shall be an export duty of five per cent.

7. And it is further enacted; That each Inspector shall receive from this Government for services, one dollar per day; his board and lodging shall be furnished by the vessel on which he is placed; any law to the contrary notwithstanding

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ARTICLE I.

AN ACT REGULATING THE INTERCOURSE OF FOREIGNERS,
AND LIMITING CERTAIN OFFICERS.

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled:—

SECTION 1. That, from and after the passage of this act, it shall be unlawful for any foreigner or foreigners to sell, or barter any goods, merchandize, or vendible property, or transact any commercial business in any port of the Republic of Liberia except by the intervention of a Liberian broker or commission merchant; or unless such rights and privileges are granted to them by treaty stipulations.

2. It is further Enacted, that if any foreigner or foreigners be found guilty of violating the provisions of this act, he or they shall, on conviction before the Court of Pleas and Quarter Sessions, be fined in any sum,—not less than five hundred dollars, nor more than one thousand dollars for the first offence; And for the second,—not more than two thousand dollars, nor less than one thousand dollars at the discretion of the Court. And in default of payment of such fine, with all costs and charges, he or they shall be imprisoned for a period, not to exceed eighteen calendar months, or until such fine, with all costs and charges shall have been paid.

3. It is further Enacted, that should any citizen or citizens of this Republic be found guilty of contravening the provisions of the first section of this act, by pretending that he, or they are acting as broker, agent, or commission merchant; and thereby cause the spirit and intent of this act to be ineffectual, he or they, thus fraudulently acting, shall be deemed guilty of a misdemeanor,—and on conviction before any court competent to try the same, be fined in any sum not less than one hundred, nor more than five hundred dollars at the discretion of the Court. And further, shall be liable to imprisonment for any term not exceeding six calendar months;—nevertheless, nothing in this section shall be so construed as to interfere with the rights and privileges of a lawful commission merchant, agent or broker.

4. It is further Enacted, that it be unlawful for the Secretary of the Treasury, Collector of Customs, Treasurer and Sub Treasurers, or any other officer engaged in the Revenue service, to act as agent or commission merchant, for any citizen, or other person within this Republic, during the term for which he or they shall have been commissioned, and any officer as above mentioned who shall violate the provisions of this section, on representation made to the Executive shall be dismissed from office,—and further; shall be fined in any sum not less than one hundred dollars,—nor more than five hundred dollars, at the discretion of the court having jurisdiction of the same—and that all laws or parts of laws conflicting with the provisions of this act, be and the same are hereby repealed.

AN ACT PROVIDING FOR A NATIONAL FAIR.

Whereas it is deemed expedient, for the encouragement of Agriculture and other useful arts, that a National Fair be held in the Government Square in the city of Monrovia, in the month of December 1857, (second Monday,) Therefore :—

It is Resolved by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled :—

SECTION. 1. That there shall be a National Fair held in the public square of the city of Monrovia, commencing on the fourteenth day of the month of December, 1857

2. That any article or articles of Agriculture, Manufacture, or Art, showing forth the skill, industry and ingenuity of the citizens of this Republic, or the aborigines of the country, and animal or animals raised, may be exhibited and sold at said national fair.

3. The President of this Republic shall appoint a Committee of five men, to be called a Committee of Inspection, whose duty it shall be to judge of the relative values of articles of the same kind ; as the best made sugar, syrup, or molasses, also the best cleansed coffee, or any other article of agriculture and manufacture ; extending the same principle of examination to articles of wood, stone &c, &c, also to cattle, swine, sheep, goats, poultry, &c, judging the order, quality, size, &c, of said animals. The said committee may also inspect single articles, as machinery, furniture, &c, setting forth extraordinary skill and craft in workmanship, as the case may be ; and upon the report of said committee, the President of this Republic shall award *premiums* as follows :

To the producer of the best article of Cotton, not less than ten pounds, raised by a Liberian, ten dollars.	} \$ 10,00
" the producer of the best Syrup, not less than twenty gallons, seven dollars.	} " 7,00
" the producer of the best molasses, not less than twenty gallons, two dollars.	} " 2,00
" Sugar not less than one hundred pounds, ten dollars.	} " 10,00
" Greatest quantity of Coffee not less than fifty pounds, ten dollars.	} " 10,00
" the producer of the best Ginger, not less than fifty pounds, five dollars.	} " 5,00
" Arrowroot not less than twenty five pounds, three dollars	} " 3,00

" Yoke of Oxen, ten dollars.	" 10,00
" Ox or Bull, five dollars.	" 5,00
To Cow, five dollars.	\$ 5,00
" Sheep, three dollars, <i>barren when</i>	" 3,00
" Hog, three dollars,	" 3,00
" Goat, three dollars,	" 3,00
" Pair of Turkeys, three dollars,	" 3,00
" Fowls, one dollar,	" 1,00
" Sample of Butter, not less than two pounds, } two dollars	" 2,00
" Piece of Ham cured in Liberia, five dollars	" 5,00
" Beef cured in Liberia not less than six } pounds, three dollars,	" 3,00
" Plough, five dollars	" 5,00
" Boots, three dollars	" 3,00
" Shoes, of leather made in Liberia, two dol- } lars and a half.	" 2,50
" Palmoil, not less than five gallons, five dollars,	" 5,00
" Cocoa, not less than five pounds, five dollars	" 5,00
" Hat, three dollars,	" 3,00
" Piece of Cloth, ten dollars,	" 10,00
" Country Cloth, two dollars and a half	" 2,50
" The producer of the best Side of Leather, } ten dollars.	" 10,00
" Bricks, specimens of not less than one } thousand, twenty five dollars.	" 25,00
" Six specimens of Chairs of the small fur- } niture, ten dollars.	" 10,00
" Cleaned Coffee, not less than twenty five } pounds, ten dollars.	" 10,00
" Row-boat, made in Liberia by a Liberian, } ten dollars.	" 10,00
" Pair of Oars, five dollars,	" 5,00
" Sample of Plank, two dollars and a half,	" 2,50
" Shingles, not less than five hundred, five } dollars and a half.	" 5,50
" Hewn stone, five dollars,	" 5,00
" Bowl, Tub, or Tray, one dollar,	" 1,00
" Coat, five dollars,	" 5,00
" Vest of African cloth, two dollars	" 2,00
" Pants, two dollars,	" 2,00
" Bill-hook, Axe, or Cutlass of African iron, } five dollars	" 5,00
" Trunk, of African wood and skin, five dollars,	" 5,00
" Wheel-barrow, five dollars,	" 5,00
" Iron pan, of African iron or native crokery, } two dollars.	" 2,00
" Nut oil, two dollars,	" 2,00
" Bleached Palm oil, two dollars,	" 2,00

To Rice (cleaned,) two dollars,	\$ 2,00
" Rice(not cleaned,) two dollars,	" 2,00
" Eddoes, two dollars and a half.	" 2,50
" Potatoes, two dollars and a half	" 2,50
" The producer of the best Corn, two dollars,	" 2,00
" Plantains, two dollars,	" 2,00
" Banannas, two dollars,	" 2,00
" Oranges, two dollars	" 2,00
" Machinery of all kinds subject to inspection, from one dollar and a half to twenty dollars,	" 1,50 20,00
" The producer of the best knitting, two dollars,	" 2,00
" Needlework, two dollars,	" 2,00
" Bonnet, three dollars,	" 3,00
" Cap, one dollar,	" 1,00
" Tin ware, two dollars,	" 2,00
" Barrel. five dollars,	" 5,00
" Bedstead, five dollars,	" 5,00
" Made Table, five dollars,	" 5,00

4. That the government schooner Lark, or any other vessel in government service, shall be ordered to convey all such persons residing within this Republic, with their products to the place of exhibition, as may wish to attend the same, for the purpose of making exhibition of their several products; and shall convey them home after the fair shall have closed.

5. It is further enacted, that said Fair shall be allowed to last one week, if necessary; and that the President be and he is hereby authorized and requested to draw out of the Public Treasury the sum of five hundred dollars out of any money not otherwise appropriated to carry out the spirit of this Resolution.

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ARTICLE I.

A SUPPLEMENTARY ACT, TO AN ACT ENTITLED AN ACT CONCERNING ELECTIONS TO PUNISH THE OFFENDERS AND PREVENT FRAUDS AND FOREIGN INTERFERENCE IN ELECTIONS.

Whereas the present statute law on elections, now in force, is insufficient to prevent a system of foreign intermeddling; and whereas, if it be not timely checked, the end sought by holding elections, will be irretrievably lost to all Liberians, therefore,—

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled:—

6. That any and all foreigners who are, or may be within, about the shores, or within the boundaries of this Republic, shall not intermeddle with Liberian elections, by the use of money, or by the use of any consideration whatever, which can be estimated or valued; such as provisions, ways, employment, credits, or threats of dismissal from service, or menaces to withhold any consideration, which would lead the employee to renounce his independence and the like.

7. It is further enacted, That neither foreigner nor any other, putting himself in a foreigner's place, shall be guilty of any of the offences contained in the 6th Sec: without incurring the following penalties. For the first offence, he, she or they, singly, shall forfeit and pay not less than \$200, 00 and for every succeeding offence the sum of \$200,00 shall be added.

8. It is further enacted, That any offences of the kind having been determined against the offenders, and verdict and judgment having been rendered, in any and every case against him, her, or them, the proceeds of executions collected by the Sheriff, shall be deposited in the Treasury of the county where the offence shall have been tried, and the Sheriff shall take the Treasurer's receipt to the same.

9. It is further enacted, That the Sheriff shall obtain 5 per centum for executing on the judgment of the court and paying the money to the Treasurer.

10. The Treasurer shall give one half of the election penalties to the informant or informants, such being certified by the signature of the judge, which certificate being endorsed by the informant or informants' names, shall be held by the Treasurer, as his voucher; all costs having been paid before any division shall take place, and receipts held for them by the Treasurer.

11. It is further enacted, That the Treasurer of the County in which the election penalties shall have been determined;—execution having been issued on Judgment, and money having been deposited—shall pay out by order of the President, the other half of the money or moneys mentioned, in the building a poor house in the largest incorporated city of the County.

12. The President is hereby authorized and requested to draw from the Treasury the aforementioned amount for the above mentioned purpose.

13. All laws, ordinances and regulations, repugnant to this Act shall be, and they are hereby repealed.

AN ACT PROVIDED FOR THE RELIEF OF THE STATE OF
MARYLAND IN LIBERIA.

Whereas the cause of Truth, Humanity and Religion, require the extension and perpetuity of the Christian Settlements that have, under direction of Divine Providence, been formed on the Western Coast of Africa; which settlements we believe are designed by Heaven to be the honored instruments of effecting the evangelization, and civilization of this benighted Continent. And whereas our sister state, Maryland in Liberia, is in a most perilous condition in consequence of the sad realities of an unsuccessful warfare against fearful odds. Their small number has been greatly reduced, their means of defence are very limited and their ordinary supplies cut off to a great extent, and their savage foes by late disasters attending the Americo Liberian arms are greatly emboldened, and with their overwhelming numbers may fall upon that infant State and destroy it. And as the people of the state of Maryland in their extremity has appealed to the Republic of Liberia for assistance; Therefore, In the name of Humanity, of Religion, and of our God, though embarrassed by recent difficulties ourselves, we feel willing to extend the helping hand, and rely upon Jehovah, and the friends of humanity to sustain us in our feeble efforts to avert the blow aimed to destroy our Sister state; therefore,—

It is Resolved by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled :—

SECTION 1. That the President be, and he is hereby authorized and requested for the relief of the State of Maryland in Liberia, to adopt measures for the foundation of an allied military force offensive and defensive, of volunteers in this Republic to assist the State of Maryland in Liberia to settle the difficulties subsisting between that State and those of the aboriginal inhabitants, who are hostile within its jurisdiction. The officers of said Volunteer Army shall be approved of and commissioned by the President, and shall be governed by the Militia laws and Regulations of the Republic of Liberia. Each volunteer of said military corps, shall be also entitled to two months' payment in advance and a premium of one town lot and one hundred acres of farm land, and shall be required to continue until the cessation of hostilities.

2. It is also Resolved, That the President is further authorized and directed to assume the expenses and payment of the forces provided for by the 1st Section of this Resolution; and to endorse for the State of Maryland in Liberia, or borrow on the credit of this Government any amount of

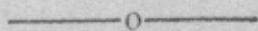
money, not exceeding Ten Thousand dollars, for the safety and security of Maryland in Liberia, and to inform the Government of the State of Maryland in Liberia, that the Republic of Liberia has tendered the aid required by that Government by means of money borrowed by the Republic of Liberia for the specific purpose, in good faith, in behalf of the State of Maryland in Liberia, and require the government of the State of Maryland in Liberia to reimburse the government of the Republic of Liberia for all expenditure incurred by the Republic for the relief of the State of Maryland in Liberia.

3. It is Resolved, That the President is further authorized and directed to forward to the State of Maryland in Liberia in addition to the outfit of Military equipments and munitions of war furnished the allied forces of this Government for the State of Maryland in Liberia, the following munitions of war, viz :

200 Rounds of Shot
200 Pounds of Buck Shot
10 Barrels of Powder
500 lbs Lead
75 Muskets

4. That, in order to render efficient aid and assistance to the State of Maryland in Liberia and to continue the friendly feeling that exists between the nations, a minister be delegated from this Government to the State of Maryland in Liberia; with full instructions from the President.

5. That the President is authorized and requested to establish Postal arrangements between the two Governments to continue during the continuance of hostilities; and to employ an armed vessel of this Government as far as circumstances will admit, to assist and strengthen the State of Maryland in Liberia.



ARTICLE I.

AN ACT AUTHORIZING AN APPROPRIATION TO BUILD A JAIL AT ROBERTSPORT GRAND CAPE MOUNT.

Whereas it appears that Robertsport Grand Cape Mount, is not provided with a suitable place to confine those who offend the laws of this Republic, and as it also appears the said Robertsport is under a government superintendent, and has no town charter, or authorities to provide the same :

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled :—

SECTION 1. That the sum of (\$ 500 00) five hundred dollars be, and the same is hereby appointed to build a jail house 14 by 18 feet, and 10 feet high, and to furnish the same with all the necessary articles to secure the prisoners when it shall be required of the Sheriff to take said prisoners to the County Jail. And the President is hereby authorized to draw the above named amount out of any money in the Government Treasury not otherwise appropriated

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ARTICLE I.

AN ACT AUTHORIZING THE SECRETARY OF THE TREASURY TO DEPOSIT IN EACH COUNTY A CERTAIN NUMBER OF THE FRENCH UNIFORMS.

Resolved by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled :—

That the Secretary of the Treasury under the direction of the President be, and he is hereby authorized to deposit in the Commissary's Department ; say Montserrado County, 500 suits ; Grand Bassa 250 suits ; and Sinoe County 250 suits of French uniforms to be given to the Captains of the several companies of the regiments, to be by them distributed among the soldiers of the same.

SECTION 1. Resolved that it shaall be unlawful for any soldier or officer to wear said uniform on any occasion other than on days of parade, and he or they shall be compelled to keep said uniforms clean and in good order. Any violator of this law shall be fined by the Regimental court martial in any sum between 50 cts and \$5,00 in the opinion of the court.

2. Resolved that all fines collected by the Sheriff agreeably to the 11th section of an "Act to regulate the Militia" be and the same are hereby granted to the respective regiments of the several counties of this Republic for the purchase of drums and other musical instruments as the court martial may direct. and that the President be, and he is hereby authorized to draw on the public Treasury for the aforesaid fines, and that all law or parts of laws that conflict with the provisions of this section be, and the same are hereby repealed.

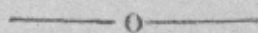
AN ACT SUPPLEMENTARY TO AN ACT, ENTITLED AN ACT
AUTHORIZING THE CIRCULATION OF COPPER COIN,
AND MAKING THE SAME A CIRCULATING TENDER IN
THIS REPUBLIC

Whereas it appears from the communication of His Excellency the President that on an examination by the Secretary of the Treasury of the Copper Coin of one cent pieces, legalized by an act of the Legislature, passed and approved December the 22d. 1856 there is an equal proportion of two cent pieces, making the £ 200 or nine hundred and sixty dollars. And whereas said act only provides for one cent pieces. Therefore,—

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled.—

SECTION 1. That the said Copper Coin be, and the same is hereby declared to be a legal tender in this Republic, of the value of Two Cents or one fiftieth part of a dollar, and the said copper coin shall be received in payment of all claims for and against this government, and shall be of the value above mentioned, in the business transactions within the same And shall also be received at the Treasury and Sub-Treasury Departments, in payment of all dues in favor of this government.

2. It is further Enacted, That the President be, and he is hereby authorized to put in circulation the aforesaid Two Cents pieces making a portion of the £ 200 or nine hundred and sixty dollars, as soon after the passage of this act as is expedient.



ARTICLE I.

AN ACT TO AMEND AN ACT AUTHORIZING THE ESTABLISH-
MENT OF A UNIFORM CURRENCY.

Whereas the Secretary of the Treasury, did, pursuant to an Act of the Legislature, procure for the use of this Government a set of engraved plates, for striking off engraved bills of five denominations; ten, five, three and one dollars, and fifty cents, to be used as a paper currency in the Republic of Liberia, and whereas for good reasons the President thought it not best to issue or put in circulation a larger amount than three thousand dollars; but as the Legislature believes, that at this present crisis an impetus would be given to the finance

of the Republic by the circulation of an additional amount of the aforementioned engraved bills. Therefore,—

It is enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled :—

SECTION 1. That the Secretary of the Treasury be, and he is hereby authorized, and requested immediately to issue an additional amount of five thousand dollars of the said engraved bills.

2. The Secretary of the Treasury is further authorized and requested to deposit two thousand dollars of the aforementioned engraved bills, in the Sub-Treasury of Sinou County: and two thousand dollars of the aforementioned engraved bills in the Sub-Treasury of Bassa County, the remaining four thousand are to be deposited in the general Treasury.

3. The President is hereby authorized to draw from the public Treasury a sufficient amount of money to meet the expenses necessary to carry out the provisions of this act.

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ARTICLE I.

AN ACT AUTHORIZING THE APPROPRIATION OF \$ 3600, FOR EXPLORING AND OPENING ROADS INTO THE INTERIOR OF THE SEVERAL COUNTIES.

Whereas it is the policy of this government to encourage its citizens in every laudable enterprise, and as the exploring of the interior of our country is a great desideratum; and as it appears from a petition of certain citizens of Grand Bassa County that they are willing to engage in the exploration of their interior if encouraged by the Government; Therefore,

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled.

SECTION 1. That the sum of three thousand dollars be, and the same is hereby annually appropriated for exploring of Montserrado, Grand Bassa, and Sinou counties.

2. That the President be, and he is hereby authorized and directed to appoint in each county, three discreet persons as commissioners of Interior Roads and explorations, one of whom shall be a surveyor. It shall be the duty of said commissioners to explore the interior of the country for

which they may be appointed under direction of the President; they shall keep a correct journal of their transactions; furnish an accurate map of the country over which they travel; showing the direction of highways and water courses, situation of towns and villages;—and giving a descriptive account of the number and character of the inhabitants, productions and resources of the country.

They shall be invested with power to purchase from, and negotiate treaties with the independent Chieftans residing beyond the limits of this Republic according to the instructions of the President, and shall be especially commissioned to treat with the native tribes, to secure the pre-emptive right to their lands and territories should they be disposed at any future time to sell them, and shall in all cases endeavor to extend by treaty stipulation, the jurisdiction of this Republic.

And said commissioners shall also have a concurrent jurisdiction to settle native difficulties on their route within our jurisdiction, as the Native Commission Court.

3. Said commissioners shall make a quarterly report of all matters charged in their commission as stated in the second section of this act; And they shall be furnished with such assistants as the President may deem expedient to carry out the provisions of this act, and they shall receive twenty five dollars (\$25,00) per month while employed in surveying and exploring, and ten cents per mile, and shall be allowed fifty cents per diem in addition to their salary while engaged in settling native difficulties.

4. The time of commencing said explorations shall be as soon after the passage of this act as practicable, and in every year after, to commence on the first of November and end on the thirty first of May following (seven months in each year.)

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ARTICLE. I

AN ACT SUPPLEMENTARY TO AN ACT ESTABLISHING THE JUDICIARY, AND POWERS COMMON TO THE SEVERAL COURTS.

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled.

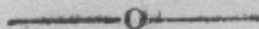
SECTION 1. That from and after the passage of this act, whenever any person or persons, shall consider himself or themselves aggrieved by the nonperformance of any contract

or contracts, made, on the part of the Government, by any person or persons, whose duty it shall be to make such contracts, having sufficient authority for that purpose from Government.—That the person or persons so aggrieved, shall have his or their remedy by due course of law, before any court of this Republic having competent jurisdiction, as in other actions of contract.

2. It is further Enacted : That it shall be necessary, in order to bring up said suits, that a regular complaint, stating the cause of action &c, be brought before the courts, in the manner and form prescribed for bringing up such suits against individuals, substituting the words "Republic of Liberia as defendant" the clerk of the court notifying the attorney, acting in behalf of the Republic, to appear to defend said suit.

3. It is further Enacted: That when ever any person or persons shall receive any damage by the application of any part of his or their property by this Republic to its use, or otherwise, so as to occasion any damage or loss ; he or they, shall on proof thereof before the Court of Quarter Session, enter his or their complaint according to law, as in individual suits, with the exception as made in the Second section, receive such compensation as a jury shall under circumstances award.

4. It is further Enacted : That when ever the person or persons, so aggrieved, or damaged, shall obtain a judgment in his or their favor, that the court before whom the cause or causes shall be adjudicated, after having ascertained the amount of judgment so rendered in favor of the Plaintiff, which order shall be signed by the President in his usual manner of signing orders for the payment of money the Treasurer or Sub-Treasurer, on the receipt of said order or orders, shall immediately pay over to the party, or parties, the amount specified therein ; nevertheless, this section shall not be so construed as to destroy the right of appeals in cases where the Republic is defendant.



ARTICLE I.

A RESOLUTION FOR THE COMPENSATION OF J. J. ROBERTS
CHARGE DE!AFFAIRS TO THE GOVERNMENT OF HIS
IMPERIAL MAJESTY THE EMPEROR OF FRANCE.

Whereas necessity demanded the appointment of the Hon-

able Joseph I. Roberts as Charge des affairs to the Government of His Imperial Majesty the Emperor of France, and there has been no appropriation made by Law to meet the expenses of said appointment,—Therefore,

It is Resolved by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled.

That the President is hereby authorized and requested to re-imburse the Honble Joseph J. Roberts "Charge de Affairs accredited near His Imperial Majesty's Government," the amount of the expenses incurred as stated in his report—while attending to the affairs of this Government in Europe ; and that he also pay to the Honble Joseph J. Roberts, the sum of Five hundred dollars, to cover expenses that may have been incurred, while detained in London one month on account of this Government, for which no charge is made in his report, said amount to be paid out of any moneys in the Public Treasury.

ARTICLE 1.

AN ACT PROVIDING FOR THE RELIEF OF MRS: MARY CRAYTON.

Whereas Mrs Mary Crayton, formerly Mary Young petitions the Legislature to make some provision for her and children on account of one hundred and thirty dollars due her former husband G. W. Young by the Mississippi State Colonization Society since the years 1839 and 1840 for services rendered in Greenville Sinoe County for the Colonization agents then acting, Joseph Timely and James Brown, who employed the said G. W. Young's services to the amount of \$130,00 which amount was never paid; and whereas the said G. W. Young died and left three children without the adequate means of support: and whereas the land and property of said Mississippi State Colonization Society have fallen to this government; Therefore,

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature assembled :—

That from and after the passage of this Resolution, the President be, and he is hereby authorized and requested to pay to the aforesaid Mary Crayton for herself and three children, the amount of one hundred and thirty dollars in land at the lawful price of public land in this Republic.

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ARTICLE I.

AN ACT FOR THE RELIEF OF WALKER BRUMSKIN.

Whereas it appears by a communication of His Excellency the President, to the Legislature that Walker Brumskin, Captain of the Garrison at Fish-town, now Buchanan in the year 1852 for official misconduct, was cashiered and reduced to ranks by the regimental Court-martial;—and subsequently confirmed by the General Court-martial. And whereas the said Walker Brumskin, together with the officers of the second regiment and citizens of Grand Bassa County have petitioned His Excellency the President to remove the disability; and whereas for good and sufficient reasons, the President has referred the same to the Legislature, soliciting a favorable consideration; and whereas the said Walker Brumskin has rendered invaluable services to his country as a soldier and patriot, under the most trying circumstances: therefore.—

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled:—

That from and after the passage of this Act, Walker Brumskin be, and he is hereby restored to all the rights, privileges and immunities of other Military officers in this Republic: and that the judgment or sentence passed upon the said Walker Brumskin, shall be as fully, and completely annulled, set aside and dissolved, as if no such judgment or sentence had been passed;—any law to the contrary notwithstanding.

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ARTICLE.

A RESOLUTION PROVIDING FOR THE REPAIR OF THE SCHOONER LARK.

Whereas it appears from the representation of Captain Cooper, Commander of the Government Schooner Lark, made to the President of this Republic, and by the Pres-

ident referred to the Legislature in his annual message, that said vessel is in need of repairs, and if not repaired, will not be sea worthy longer than the present season; and as it is impossible thoroughly to repair a vessel of war on this coast, it is necessary to send her to some foreign port for repairs; and as it is to the interest of the Government that her revenue should be protected by an armed vessel while the Lark is away, to secure the Government her revenue; therefore,

It is Resolved by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled:—

SECTION I. That the President be and he is hereby authorized to have the Schooner Lark fitted out, and put in order preparatory to a voyage to some foreign port, that he, the President may deem best for repairs—

2. And it is further resolved, that the President be, and he is hereby authorized to procure, and arm for the revenue service, any vessel he can or may get from 30 to 60 tons to relieve the Schooner Lark.

3. And it is further resolved that the amount of (\$16000,) sixteen thousand dollars be, and the same is hereby appropriated to carry into effect the foregoing provisions: And the President be, and he is hereby authorized to draw for the same out of any moneys in the public Treasury.

ARTICLE I.

AN ACT AUTHORIZING THE ESTABLISHING OF A FARMING SETTLEMENT IN BASSA COUNTY TO BE CALLED FARMERSETTA.

Whereas the Legislature at its session in December 1855 and January 1856 &c, passed an act appropriating the amount of one hundred dollars for the erection of bridges in the settlement situated on the north-west side of the St. Johns river called upper Edina in the County of grand Bassa: And whereas the said Legislature did not make any provisions for laying out a road in said settlement according to the wishes of the Citizens thereof! And whereas we believe it necessary that there should be laid out, and planned a regular road or causeway through said settlement, so as to encourage and facilitate the citizens or settlers thereof in their operations as farmers, Therefore,—

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled:—

SECTION 1. That immediately after the adjournment of the present Session of the Legislature, the President au-

Authorize the Superintendent of the County of Grand Bassa to instruct one of the Surveyors of said County to survey and lay out the said Settlement or farming district as follows; That is to say, the said Settlement shall commence at the junction of rivers, Mechlin and St Johns, on the South-west running in a northly direction along the banks of the St. Johns, until it reaches the boundary line of lower Bexley or New Haven, thence along the said line in a north westerly direction for the space of two miles interior of the river St. Johns, thence in a straight line of a South-westerly direction until it reaches the banks of the said Mechlin river; the said farming district or settlement to be called "FARMERSETTA."

2. And it is further Enacted, that the Superintendent under the direction of the President, be authorized and instructed to arrange with the citizens of said Settlement for enough of their lands as will be necessary to be taken up for a common road under the following provisions, that is to say, for a space of fifty feet of land in front, lying on the banks of the St. Johns, they shall receive seventy five feet of land on the back of their farms.

3. That the Surveyor be instructed to Survey and lay out a road commencing on the point at the junction of the rivers St. John and Mechlin at the most suitable place to be selected by the said Surveyor to run in the direction of the river St. Johns, twenty feet from high water mark, parallel with the said river running through the farming district of *Farmersetta* until it reaches and connects with the road in New Haven, the said road to be thirty feet wide, and for surveying laying out and giving the direction of said road, the surveyor shall receive the sum of five dollars per day—provided however, that no more than six days shall be allowed for the completion of the same.

4. It is further Enacted, that, in addition to the one hundred dollars appropriated at the last Session of the Legislature for the erection of bridges &c, in the said Settlement, there be appropriated, the sum of one hundred dollars more, in order that the provisions of this Act may be more effectually carried out;—and that the President be and he is hereby authorized to draw on the public Treasury for the same: And further, that the President be authorized to instruct the superintendent of the County of Grand Bassa, to have the said work put out at the lowest bidder, and that he be authorized to enter into contract with the undertaker for the speedy performance of said work. The contractor or undertaker shall be required to give good and sufficient bond for the performance of said work.

5. It is further Enacted that the President be and he is hereby authorized to draw the above amount of one hun-

dred dollars appropriated by this Act in addition to that before appropriated out of any monies in the public Treasury.



ARTICLE I.

AN ACT PERTAINING TO BOUNTY LAND.

Whereas the establishment of this Government among the aboriginal inhabitants of this country has required the exposure of its citizens, to the most trying circumstances; causing the loss of health, life, and property; And whereas, it is the policy of this Government to hold out inducements to its citizens, to encourage them to repel aggressions, and put down all attempts against the peace and dignity of Liberia, and uphold the majesty of the Laws: Therefore.—

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled.—

SECTION 1. That from and after the passage of this act, each commissioned and non-commissioned officer, musician or private, whether volunteer or militia, who performed Military service in any regiment, campaign, or detachment in the service of this Republic, when it was a Colony in any Battle or campaign since January 1st 1822, or in any of the Wars, or campaigns since that time, shall be entitled to Lands as follows. Those who served from two days, up to one week, shall receive five acres. Those who served fifteen days, shall receive ten acres. Those who served over twenty, and served over one month, and less than three months, shall receive thirty acres.

2. It is further Enacted, that each commissioned and non-commissioned officer, musician and private, for whom provisions are made by the first section hereof shall receive a certificate from his commander, or if the commander be dead, then he or they shall make oath, that he or they, are the identical persons, or if dead, his widow may make oath, that her husband was actually in service. And if minors, a competent evidence shall make oath to the above facts before any Justice of the Peace, or any officer competent to take such an oath. And that such Certificates, shall be filed in the Land commissioner's office of the County, where such persons reside. Upon the filing of such Certificates, the Land Commissioner, under the direction of the President shall order the Land surveyed from any Public Lands, not otherwise appropriated, at the expense of the claimant or

claimants.

3. And further, in the event of the death, of any commissioned officer, musician or private, prior or subsequent to the passage of this Act, who shall have served as aforesaid, a like certificate being present, a deed shall be executed in favor of his heirs.

4. And it is further Enacted, that it shall be the duty of the Land Commissioner to have the Land located on farming districts, as may be designated by the individual applicant under the provisions laid down in the second section of this Act. He shall as soon as the Lands are surveyed, grant a deed to the individual applying, in fee simple. All such certificates shall be by him, filed in the State Department quarterly. He shall receive fifty cents for such deed, to be paid by the applicant. And that the President shall lodge or cause to be lodged in the hands of the Land Commissioner in each of the counties of this Republic a number of blank deeds signed by him in his usual manner of signing deeds for land. And on presentation of the certificate as provided for in this second section, the Land Commissioner shall have the land surveyed as provided for, in the foregoing provisions. He shall then fill up the deed with the number of acres, mentioned in the certificate and deliver the same, countersigned by the Land Commissioner, to the claimant.

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ARTICLE I.

AN ACT CHARTERING THE CITY OF GREENVILLE.

Whereas the citizens of Greenville, county of Sinou, have petitioned the Legislature to constitute them a "Body Politic" and corporate, by ratifying and granting a charter by them drawn up, and herewith presented; therefore,

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled:—

SECTION 1. That the inhabitants of the city of Greenville be and they are hereby constituted a Body Politic" and corporate, under the name and style of Mayor, Aldermen, common Councillmen, and Freemen of Greenville; and by such name may sue and be sued, implead and be impleaded, and do all other acts that are usually done by such corporate bodies.

2. The Common Council shall consist of nine members,

residents of the city of Greenville, of whom one shall be chairman.

3. The city of Greenville shall have jurisdiction within the corporate bounds of the said city; the corporate bounds shall be as follows: commencing at low water mark of the south easterly angle of lot 398. and running North forty degrees East, 24 chains, more or less, along the margin of Sinoe River to the mouth of a small creek; then North twenty degrees, West 30 chains, more or less, to the dividing line of the farm lands of Edward Morris and James Jesse Jeffs; then North forty degrees East to Sinoe River, to low water mark, say 16 chains, then North twenty degrees East to a creek, say 46 chains, more or less; then north seventy degrees West, to low water mark in the Po River, say 85 chains more or less; thence along the Atlantic Ocean at low water mark to the starting point at lot number three hundred and ninety eight, containing an area of from four to five hundred acres of land. And in case it should be necessary to execute lawful process without the bounds of said corporation, then and in that case, any magistrate residing within said county may issue judicial process, on representation of any city officer being made to him; and the same may be executed by any constable of the county.

4. The corporation aforesaid shall have full power and authority to make and fulfil contracts, take and hold real estate to the value of one hundred thousand dollars, and lay all such taxes as may be necessary for city purposes. shall pass all necessary municipal laws and ordinances; said "Body Politic" shall have full power to settle its own rules of proceedings; to appoint its own officers; regulate its own fees, and all other necessary acts not incompatible with the general laws of this Republic.

5. All ordinances and municipal laws established by the Common Council shall be subject to the approval or disapproval of the Mayor, if disapproved, his objections shall be made to the Common Council within three days; and if not returned within three days, such delay shall be equal to approval; provided, however, such delay be not occasioned by the adjournment of the Common Council: the Common Council may, nevertheless, by a vote of two thirds of its members, pass any law independent of his approval.

6. The first election of City officers shall take place on the third Monday in February 1857; all other elections shall take place on the third Monday in February in each following year, and shall be conducted according to the laws governing elections for state officers, under such modifications and restrictions as the Common Council may ordain. The elective officers shall be one Mayor, four Aldermen, and nine Common Councilmen all of whom shall hold their office for the term of one year; unless vacated by resignation, removal, or death; in which cases vacancies may be supplied by special elections. No par-

son shall be eligible to the office of Mayor, who is not a resident of the city of Greenville, and who does not own real estate to the value of one hundred dollars. No one shall be a Common Councilman who is not a resident of said city, and who does not possess unencumbered real estate to the value of fifty dollars, and no person who does not possess real estate in the city of Greenville shall be allowed to vote.

7. There shall be a City Court, which shall be composed of three Aldermen, one of whom shall be chairman, whose duty shall be to try and determine all cases coming into the same, except such as may be taken therefrom by appeal, as is hereinafter provided. The Aldermen shall, within the precincts of the city, exercise the functions of justice of the peace, in such infractions of their laws or ordinances as may be assigned them; and it shall be their duty to try and determine all petty offences; but appeal may be had from their decision to the City Court. The said City Court shall, by its own clerk, keep detailed records of all matters and things which shall come before it, in a book or books provided for that purpose, which when full shall be forwarded to the Secretary of State, for preservation among the archives of this Republic.

8. The Common Council shall hold its first Session on the first Monday in March. All impeachments, made by the aforesaid Common Council, of officers, shall be made to the Mayor, who may, if said impeachments be sufficiently established, suspend such officer or officers, until the next ensuing session of the City Court, which shall try all such impeachments.

9. The Mayor, Aldermen and Common Councilmen shall have power to lay out new streets, highways and public walks or parks, and keep them in order, and shall have power to appoint inspectors of all kinds of produce brought into the city, or exported from the city; they shall also appoint inspectors of weights and measures.

10. The Mayor of said city shall be chief executive, and it shall be his duty to be vigilant and active in causing the laws thereof to be executed and enforced; and he shall be conservator of the peace within the city; he shall recommend to the City Council at its regular session all such measures as in his opinion would enhance the condition of the streets, avenues, highways and public walks of the same, as well as to point out all nuisances, of whatever kind, and recommend measures for their removal.

11. The Common Council shall have power to issue all wholesale and retail Licenses; fix and enjoy the benefit of the same for city purposes; they shall have power to draw out of the public treasury, by order of the President of the Republic, all moneys which are now due the Town of Greenville, agreeably to an act granting certain moneys to the different Towns and Villages; and the President is hereby requested to order

the payment of the aforesaid amount to the Common Councilmen of the city of Greenville.

12. This charter may be altered, revoked, or amended, on presentation properly made by said City authority, by petition to the Legislature of the Republic of Liberia, or without such petition.

13. This charter and all its provision shall go into effect on the first Monday in January 1857; any law or charter to the contrary be, and the same is hereby repealed.

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ARTICLE I

AN ACT TO INCORPORATE THE "YOUNG MEN'S LITERARY ASSOCIATION OF BUCHANAN, GRAND BASSA.

It is Resolved by the Senate and House of Representatives of the Republic of Liberia in Legislature assembled :—

SECTION 1. That from and after the passage of this Act, Aaron P. Davis, Henry M. West, Anthony P. Harris, Henry W. Foster, Charles A. Pitman, Albert J. Johnson, Ambrose Redd, Walker Brunskire, Jacob D. Preston, Anthony W. Gardner, and James S. Smith, all of the city of Buchanan, together with such others as now are, or may hereafter become members of the Association called the "Young Men's Literary Association of Buchanan, Grand Bassa," be and they are hereby declared to be a body corporate and politic, and under the name and style of "Young Men's Literary Association of Buchanan, Grand Bassa," and shall be capable in law to receive, hold and enjoy real and personal estate to the amount of Twenty five thousand dollars, for the use and benefit of said institution; and shall have perpetual succession of officers and members, and may have and use a common seal, and under the name and style aforesaid, may sue and be sued plead and be impleaded; answer and be answered unto in any court of law or equity in this Republic having the requisite jurisdiction.

2. And it is further enacted; That the said society shall be capable in law of receiving by bequest or donation, whether in money or other things, for the benefit of said institution by whatever name or style the same may be made; and under their name and style aforesaid may, when the interest of the society and its prosperity seem to require it, sell, lease or exchange any estate by them acquired, whether by purchase, bequest or donation.

3. And be it further enacted; That the "Young Men's Lit-

erary Association of Buchanan, Grand Bassa" aforesaid, is hereby vested with full power and authority to make and to establish such by laws, rules and regulations for their own government as they deem expedient; provided such by laws, rules and regulations be not repugnant to the laws or constitution of this Republic and provided, also, that such by laws rules and regulations shall at all times be subject to be altered or repealed by the Legislature.

4. And be it further enacted; That for the purpose of carrying fully into effect the designs of the aforesaid institution, there shall be, eighteen managers of the Association chosen from the members "active" or "honorary," or their successors, by as many of them as shall assemble at their place of rendezvous, or any other convenient place according to notification, on the first Wednesday in April in each year, when a majority of those present shall have full power to elect, by ballot or otherwise, as may be directed by laws of said associations. And said managers, thus elected, shall at their first regular meeting thereafter, elect a President, Vice President, Treasurer, Recording Secretary, two Corresponding Secretaries two Curators, one Librarian and a Censor from their own body.

The Board of Managers shall have the general superintendence of all things pertaining to said association.

AN ACT TO INCORPORATE THE LADIES' LITERARY INSTITUTE OF GREENVILLE SINOE COUNTY.

It is Enacted by the Senate and House Representatives of the Republic of Liberia in Legislature assembled:—

SECTION 1. That from and after the passage of this Act, S. E. Brown, R. L. Brown. A. F. Morrell, A. Priest, E. Murray, M. Crayton, M. Roberts, H. Jones, A. Coker, all of the town of Greenville, together with such others as now are, or may hereafter become members of the association called "The Ladies Literary Institute of Greenville, Sinoe County," be and they are hereby declared to be a body corporate and politic, under the name and style of "The Ladies' Literary Institute of Greenville, Sinoe County," and shall be capable in law to receive, hold and enjoy real and personal estate to the amount of twenty five thousand dollars, for the use and benefit of said institution, and shall have perpetual succession of officers and members and may have and use a common seal, and under the name and style aforesaid may sue and be sued, plead and be impleaded, answer and be answered unto in any court of law or equity in the Republic having the requisite jurisdiction.

2. And be it further enacted: That the said Society shall be capable in law of receiving by bequest or donation

whether in money or other things, for the benefit of said institution by whatever name or style the same may be made, and under their name or style aforesaid may, when the interest of the Society and its prospect seem to require it, sell, lease or exchange any estate by them acquired, whether by purchase, bequest, or donation.

3, And it is further enacted: That "The Ladies' Literary Institute of Greenville," aforesaid, is hereby vested with full power and authority to make and establish such by-laws, rules and regulations for their own government as they may deem expedient and necessary; provided such by laws, rules and regulations be not repugnant to the laws or Constitution of this Republic; and provided also, that such By-laws, rules and regulations at all times be subject to be altered or repealed by the Legislature.

4. And be it further enacted: That for the purpose of carrying fully into effect the designs of the aforesaid institution, there shall be nine managers of the association, chosen from the members, either active or *honorary*, or their successors, by as many of them as shall assemble at their place of rendezvous; or any other convenient place, according to notification, on the second Tuesday in September in each year, when a majority of those present shall have full power to elect by ballot, or otherwise, as may be directed by the By-laws of said association; and said managers thus elected shall, at their first regular meeting thereafter, elect a President, Vice President, Treasurer, Recording Secretary, one Corresponding Secretary and Librarian, and a Preceptor, from their own body. The board of managers shall have the general superintendence of all matters and things pertaining to said association.

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ARTICLE I.

A RESOLUTION AUTHORIZING THE PRESIDENT TO FURNISH THE AMERICAN COLONIZATION SOCIETIES PREMIUM LAND FOR EMIGRANTS.

Whereas application has been made to this Government by the Indiana State Colonization Society to negotiate for the purchase of large tracts of lands, for the purpose of distributing the same as bounty lands to persons emigrating from that state to Liberia as an additional premium to the grants of land already allowed by this government to emigrants coming to this country; and as this government is solicitous to encourage the emigration of enterprising men of color to this country, by the employment of all proper means;—Therefore.

It is Resolved by the Senate and House of Representatives of the Republic of Liberia in Legislature assembled.

SECTION 1. That from and after the passage of this Resolution, the President shall have authority to negotiate, with any of the Colonization Societies desiring it to furnish them, at a stipulated price not exceeding five dollars, nor less than one dollar per acre—marshy lands excepted—with any quantity of farm lands, which they may require for the use of emigrants, as an inducement for them to emigrate.

2. Certificates shall be granted to the Society or Societies purchasing lands according to the provision of this Resolution,—acknowledging the receipt of the purchase money, for which credit has been granted on the book of the Treasury department, for the quantity of land purchased, which lands are to be deeded to emigrants on presentation of certificates signed by the proper officers of the Society making the purchase.

3. And further, the President shall exercise his discretion whether the lands disposed of agreeably to the regulations herein provided, shall be particularly designated, or whether the quantity purchased be merely stated, to be appropriated public lands. It being provided, nevertheless, that no land shall be so certified or conveyed away under these provisions, as to give any Colonization Society the exclusive right or privilege of settling any town or village, by having possession of all the farm lands of any village or adjacent to any Town.

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ARTICLE I.

AN ACT PROVIDING FOR THE ESTABLISHMENT OF AN INTERIOR SETTLEMENT.

Whereas the American Colonization Society and the Authorities of this government have long entertained the idea, that the mountainous districts in the interior of our country possess superior advantages to the seaboard, for the enjoyment of health for the pursuit of agriculture, and for the development of the vast resources of our excellent country.

And whereas the American Colonization Society, solicitous to test, by actual experiment, the correctness of the above mentioned supposition, so important in its results to the cause of religion, and humanity, and to the cure of slavery, and redemption of Africa, have generously proposed, through

their special Agent, the Rev. John Seys, to furnish liberal means to establish, by and with the consent of this government, an interior settlement in the Queah Country, distant about fifty two miles from Monrovia in the County of Montserrado; and have assured the government, that no expense, whatever, will be saved on their part to meet every contingency, and have further declared in due form that, should any difficulties arise with the natives, in which pecuniary embarrassments are involved, the Society pledges to indemnify the authorities of the Republic for any and all such liabilities:

And whereas the said settlement in the Queah Country in the interior of Montserrado County is a test settlement to prove the correctness of the above supposition, preparatory to a general movement by the American Colonization Society to form interior settlements; and creates the necessity of a adopting some uniform system whereby interior settlement shall be established, and as distant interior settlements, in the midst of large and powerful tribes, cannot be protected unless due prudence be exercised by this government, and each settlement be furnished with the requisite means of defence; therefore,

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature assembled:—

SECTION 1. That the American Colonization Society be and is hereby authorized to establish settlements in the interior of the different Counties of this Republic, under the direction of the President, according to the provisions hereinafter ordained.

2. It is further enacted, that it shall be the duty of the American Colonization Society to procure the proper company of efficient volunteers, consisting of acclimated Liberian citizens from twenty one to forty-five years of age, to enlist as permanent settlers. The American Colonization Society shall also be held amenable to this government for any and all expenses this government may incur in the defence of said settlements; until each of said settlements shall register, as permanent settlers one hundred able bodied men, between twenty one and forty-five years of age, when their special responsibility shall cease and come to an end.

3. It is further enacted, that no settlement shall be commenced with a less number than forty volunteers: the number of volunteers may be increased, however, to one hundred; and the privilege of volunteering shall be extended to six months after the commencement of each settlement; provided, moreover, that whenever any of said settlements or any other settlements in Liberia, be in danger of invasion, or have become weak and require to be strengthened, the President may, and he is hereby au-

thorized and empowered to grant to as many volunteers as he may deem expedient enlisting to settle at said place a town lot and thirty acres of farm land; and cause the Agent of the American Colonization Society, or instruct the Secretary of the Treasury, respectively as the case may be, to issue or cause to be issued to such volunteers, the rations allowed by law to the Militia in actual service, for a limited time, not exceeding six months.

4. It is further enacted, that in all cases hereafter occurring, for which no previous stipulations have been specially entered into between this government and the American Colonization Society, the President shall require full and satisfactory security of the American Colonization Society, that strict conformity will be observed, on their part, to the provisions of this Act before he grants permission for the formation of any settlement contemplated by this Act, whatever.

5. It is further enacted, that the American Colonization Society shall also be required to build, as fortresses two or more block houses, as the President may direct, on the out posts of each settlement, and a suitable one in a central position as an army; and the President is hereby authorized and directed to deposit, in the armory of each interior settlement, sufficient munitions of war, of every description, to defend the place against any emergency; and in case of deficiency in the supplies of this government, the President shall cause the American Colonization Society to supply that deficiency.

6. It is further enacted, that a Superintendent shall be appointed by the President, for each distant new settlement, who shall have the general supervision of the Civil and military affairs of the settlement, under the direction of the President, and shall be considered, in every respect, as his vicegerent. There shall also be a Commander of the Military, of the rank of Captain, two Lieutenants and a Commissary, to be appointed by the President; and such other subordinate officers, as belonging to the different companies of the Militia, shall be appointed by the company.

The Captain, Lieutenants, Commissary, and Agent of the American Colonization Society, shall form a cabinet council, to advise with the Superintendent respecting the most efficient plans of executing the regulations made and approved for the Military of the settlement, not repugnant to the laws and Constitution of this Republic, and the institutions of the President, to be by him approved before enforced, unless in case of emergency; not provided for, in law or otherwise.

7. It is further enacted, that each emigrant and volunteer residing in, or going to any of said settlement, shall be

furnished with, and keep in their possession a good musket, cartridge box and bayonet, which they shall keep in order and use at drills,—And any and all persons that reside in said settlements previous to the registry of one hundred able bodied men from twenty one to forty five years of age, who cannot use a gun efficiently, shall be required to practise marksmanship, at least once a week, and oftener if necessity demand it, in the discretion of Vigilance Committee ordained by the 6th section of this Act, until he shall be a proficient marksman.

8. It is further enacted, that each volunteer, and such immigrants to whom lands have not been previously assigned, who may go out before the expiration of three years after the commencement of the settlement, shall be entitled to a town lot of one hundred front and two hundred and eighteen feet deep, being about a half acre of land; and a farm lot of thirty acres to be seven and a half chains front, and forty chains deep, in the vicinity of the settlement.

The method of allotment shall be, that the volunteer, whose name shall be first enrolled, shall have the first choice, free from any lottery whatever; and the next on the list shall make his free choice and so on, to the end of the list; and in like manner with immigrants.

9. It is further enacted, that no deed shall be granted in favor of any volunteer, until he shall have resided one full year in the settlement, and shall have produced satisfactory evidence that he has faithfully discharged the duty of a volunteer, and that there are no fines standing against him: provided, further, that in the event of the death of any volunteer while in actual service, the land to which he would have been entitled had he served out his full time, shall be deeded to his heirs, and provided, more over, that, should any volunteer have been honorably discharged from said settlement, from failure of health, or any other justifiable cause he shall have a *pro rata* portion of the premium lands granted to him according to his time of service.

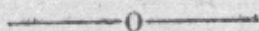
10. It is further enacted, that each interior Township shall be laid out in manner following;

The town proper shall be two miles and one hundred feet, square, divided by avenues of one hundred feet, crossing, at right angles, the centre of the town, extending in the country as far as the Township shall extend, or necessity shall require, as highways; and a like avenue of one hundred feet shall be on the four sides of the Town, and to be also extended in the country as far as the Township shall extend, or there shall be necessity of a highway. The farms shall front on the four side avenues, enclosing the town in a hollow square, for one tier, excepting towns situated on rivers, when the farms shall be on either side and

on the rear ; and there shall be no farms in front between the town and river, but the farms on either side of the town next to the river shall face the river, and after the first tier, the farms shall be reversed and turned crosswise, and front on the avenues running from the town, according to the map or plan hereunto annexed.

11. It is further enacted, that the President shall have power to determine the position of the settlements ; form and institute such special regulations as he may in his discretion deem proper, not repugnant to the laws and Constitution of this Republic ; provided, nevertheless, that all such settlements shall be considered under martial law for one year, and for a longer time, if the President in his judgment may think proper ; unless the Legislature shall otherwise determine.

12. It is further enacted, that the settlement to be formed in the Queah country, shall be named *Careysburg*, in honor of the late Lot Carey, and that all other settlements formed shall be named according to the pleasure of the Legislature.



ARTICLE I.

AN ACT TO REIMBURSE DANIEL STROTHER IN CERTAIN MON- EYS WHICH HE LAID OUT IN THE COMPLETION OF A BRIDGE AND CAUSEWAY IN THE COUNTY OF SINOE.

Whereas Daniel Strother, of Sinoe County, has petitioned the Legislature to refund him money, which he laid out in building a bridge and causeway in the said County, for the benefit of the public ; and whereas the said Daniel Strother states, that the appropriation made by the Legislature was not sufficient to complete the bridge and causeway, and that he had to use his own money, thirty seven dollars ; Therefore,

It is Resolved by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled :—

That, from and after the passage of this resolution, the President be, and he is hereby authorized and requested to draw on the public treasury for the sum of thirty seven dollars, to reimburse the aforesaid Daniel Strother.

AN ACT AUTHORIZING THE PUBLICATION OF THE LAWS OF
THE REPUBLIC OF LIBERIA.

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled.—

SECTION 1. That hereafter the laws passed at each session of the Legislature shall be published in a neat volume, within ninety days after the close of each session together with such treaties as may be concluded by this government at each successive term of the Legislature.

2. That such publications shall be deposited in the Treasury and Sub Treasuries of the Republic, to be sold at an advance of twenty per cent on the prime cost of such publications.

3. And, moreover, whenever necessity requires, for the more speedy enforcement of the laws, their publication in hand bill form, the laws so published shall be deposited in the Treasury and Sub-Treasuries of this Republic and disposed of in the manner above prescribed for the circulation of laws published in pamphlet form.

4. That from the passage of this Act, no law shall be enforced before the same shall have been duly published.

5. It is further provided, that the laws of the present session be embodied in the compilation of laws already in press, and that the last message of the President be also added to the publication of messages already ordered.

6. That the sum of one hundred and fifty dollars be appropriated, per annum, to carry out the above provisions, unless the Legislature shall see fit to increase or diminish the amount in successive annual appropriations.

7. That the President be, and he is hereby authorized to draw on the public Treasury for the amount, or any part thereof, above appropriated, out of any monies therein.

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ARTICLE I.

AN ACT AUTHORIZING THE CIRCULATION OF COPPER COIN,
AND MAKING THE SAME A LEGAL TENDER IN THIS
REPUBLIC.

Whereas the copper one cent pieces, coined upon the proposition of Samuel Gurney Esq., have arrived, and action of the Legislature is necessary to make said coin a legal tender, and to put the same in circulation; therefore,

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled :—

SECTION 1. That the said copper coin be and the same is hereby declared to be a legal tender in this Republic, of the value of one cent, or one hundredth part of a dollar ; and the said copper coin shall be received on payment of all claims for and against this government, and shall be of the value above mentioned, in the business transactions within the same, and shall also be received at the Treasury and Sub-Treasury departments in payment of all dues in favor of this government.

2. It is further enacted : That the President be and he is hereby authorized to put in circulation £200, or nine hundred and sixty dollars of the copper coin aforesaid, as soon after the passage of this Act as is expedient.

ARTICLE I.

A RESOLUTION APPROVING OF TREATIES CONCLUDED BETWEEN THIS GOVERNMENT AND CERTAIN NATIVE HEADMEN OR CHIEFTAINS.

Whereas the laws of this Republic provide for the negotiation of treaties between this government and the surrounding Headmen or Chiefs of native tribes, who may signify a willingness to enter into such agreement—no force or fraud having been used :—and whereas by *pacific negotiation*, treaties of Peace, Indemnification, Concession, &c., have been concluded between this government and the Grand and Little Butaw, the Sinoe and the Blue Barre tribes, respectively ; therefore,

Resolved by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled.—

SECTION 1. That the Senate approve of the treaties concluded between this Government and the Grand and Little Butaw, the Sinoe and the Blue Barre tribes, respectively ; and further, that the Senate consider the Blue Barre territory—ceded to this government as stipulated in the treaty between government and that tribe, the *bonafide* possession of this this Republic.

A ACT TO ALTER AND REPEAL AN ACT ENTITLED AN ACT
TO AMEND AN ACT REGULATING NAVIGATION
COMMERCE AND REVENUE.

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled.—

SECTION 1. That the first section of an Act entitled "An Act to amend an Act regulating Navigation, Commerce and Revenue," approved January the 18th, 1855, as reads: "There shall be collected a duty of one dollar per gallon on all ardent spirits, wines, claret, cordials and malt liquor landed in this Republic," be and the same is hereby abrogated, and that all laws or parts laws militating against this Act be and the same are hereby abrogated.

2. It is further enacted: That the third section of the fifth article be so altered and amended as to read: On rum, gin and whiskey landed in this Republic, there shall be collected a duty of twenty five cents on each gallon; and on brandy wines and cordials there shall be collected a duty of thirty seven and a half cents on each gallon; and on ale, porter and claret there shall be collected a duty of six per cent *ad valorem*. Any law to the contrary notwithstanding.

AN ACT OR RESOLUTION GRANTING TO THE COMMON COUNCIL
OF BUCHANAN, GRAND BASSA \$ 150, TO ASSIST IN BUILD-
ING A BRIDGE, &c.

Whereas it appears from a petition of the Mayor and Common Council of the city of Buchanan, that they are much in need of a substantial bridge across the first pond north of Hudson's rock, which pond separates the first from the second ward of the city, which renders passing both dangerous and impracticable. And whereas they have petitioned this Legislature to assist them, by granting them a small amount; Therefore,

It is Resolved by Senate and House of Representatives of the Republic of Liberia in Legislature Assembled.—

SECTION 1. That the sum of one hundred and fifty dollars be, and the same is hereby granted unto the Common Council of the city of Buchanan, to assist them in the erection of a suitable bridge across the aforesaid pond.

2. That the President be, and he is hereby authorized to draw out of public Treasury the said amount of one hundred and fifty dollars for the aforesaid purpose.

AN ACT GRANTING A TOWN LOT TO THE BENEVOLENT ASSOCIATION OF GREENVILLE SINOE COUNTY.

Whereas it appears in a petition from several members and officers of the Benevolent Association of Greenville, Sinoe County, chartered December, Eighteen hundred and fifty four, that they are in want of a town lot to carry out more fully their benevolent purposes, and as they do, in said petition, beg the Legislature to grant them a town lot; Therefore,

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled:—

That, from and after the passage of this Act, the President be, and he is hereby authorized and requested to grant, or give the aforesaid incorporated society, any town lot not set apart for public use in consideration of their benevolent intentions.

RESOLUTION CONTINUING THE INTERDICT ON THE GRAND AND LITTLE BUTAW AND BLUE BARRE COUNTRIES TO SANGUIN POINT.

It is Resolved by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled:—

SECTION 1. That the President be, and he is hereby authorized and directed, to continue the interdict on the section of country from Sanguin point to Grand Butaw point inclusive, and upon the Blue Barre country, until the Butaw and Blue Barre tribes shall have fully complied with the requisitions of this government; and shall have performed the engagements they have solemnly stipulated to perform, and shall have clearly proven by their conduct that they will be submissive to the constitution and Laws of this Republic, and manifested due repentance for their iniquitous conduct; and until the same shall have appeared to the full satisfaction of this government.

And the President be, and he is hereby authorized and directed to regulate all matters appertaining thereto accordingly.

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ARTICLE 1,

AN ACT RELATING TO DIVORCES.

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature Assembled :—

SECTION 1. That from and after the passage of this Act, any person or persons wishing a Bill or writing of Divorcement for the dissolution of a marriage contract, shall in all cases apply to the clerk of the Court of Quarter Sessions of the county where they reside, either by themselves, or attorney, or by both, and shall file a complaint, as in other cases of individual suits, which complaint shall be docketed in the Clerk's book. The Clerk shall issue writs of summons for the party or parties complained against, with subpoenas for witnesses &c, and shall do all other writing usual to be done in cases of individual suits : all leading costs being previously paid by the person or persons applying.

2. The said case of divorcement shall, at the next ensuing session of the Court of Quarter Sessions, be, by the Judge, submitted to a jury, who shall be specially sworn to try and determine the case according to law and evidence, and if, in the opinion of the Court and jury, there are sufficient grounds for the action, and the complaint is sustained, the judge shall then grant a bill of separation or divorcement of the following form, to be written by the Clerk, and signed by the Judge and of said court, with the seal of the Court thereto affixed.

Form :

To all whom these presents do concern ; Know Ye. That, whereas it doth appear to the satisfaction of the court and jury, that, upon the application of *Richard Doe*, for a bill or writing of divorcement from his wife *Nelly Doe*, it was proven that there are good and sufficient reasons for granting a divorce ; therefore,—

The matrimonial connection or civil contract of marriage made and entered into between *Richard Doe*, and *Nelly Doe* his wife, shall be completely annulled—set aside and dissolved as full and effectually to all intents and purposes as if no such contract had ever been entered into between them ; And that the said *Richard Doe* and *Nelly Doe* his wife shall in future be held separate and distinct persons altogether, unconnected by any mystical union, or civil contract heretofore entered into between them.

(Signed) Judge,

Given under my hand and the seal of the court at my office
this day of

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(Signed) Clerk,

3. And it is further enacted, that in no case shall

divorce be granted, except for the cause of infidelity or adultery either in the wife or husband, which must be established upon the oath of good and substantial evidence, or by the confession of the parties. And further, upon the judgment of the Court, the judge shall instruct the clerk to render a categorical account of costs incurred in the trial of said case, to be signed by the clerk in his usual manner of signing documents, and placed into the hands of the Sheriff for collection from the parties obtaining the divorce, —with an additional sum of twenty five dollars tax fee, to be paid into the Treasury for county purposes. And if, upon the demand made for the collection of all costs and tax fee, they be unable to pay, they shall give bond and good security in double the amount of costs and tax fee, to be paid within twenty days after; and if the amount is not paid within the time specified, execution, as in other cases of debt, shall issue according to the laws governing the issuing of executions in this Republic.

4. And it is further enacted, that in all trials for divorce-ment, it shall be the duty of the Clerk to keep a minute and correct record of the evidence. And in no case shall forced or extorted confession be admitted as evidence. In all cases of divorce, the father shall bear the expenses of the children; and shall take possession of them, unless the court, in equity, shall decide otherwise for good reasons that may appear to the satisfaction of the court. An appeal shall lie from every decision of the court, to the Supreme Court, under the law now regulating appeals. And the appeal shall be taken up by the court, to which it is made, anew, and upon the merit of the case, and such judgment given as the court of Pleas and Quarter Sessions ought to have given.

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ARTICLE 1.

A RESOLUTION GRANTING THE CITIZENS OF MARSHALL ASSISTANCE TO BUILD A CITY PRISON.

Whereas the citizens of Marshall have been put to great inconvenience for the want of a prison house and they, the citizens of Marshall, have petitioned the Legislature to give them Fifty Dollars, to aid them in accomplishing the erection of a city prison; therefore,

It is resolved by the Senate and House of Representatives of the Republic of Liberia in Legislature assembled.

That the sum of fifty dollars be, and the same is hereby appropriated to assist the citizens of Marshall in building them a city prison : and the President be, and he is hereby authorized to draw, out of any monies in the public treasury, for the same.

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ARTICLE 1

Whereas John Hanson of Bassa County has petitioned the Legislature for money due him by the Republic, for services rendered in the said County as Commissary, from the year 1848 to the year 1852, and whereas the said John Hanson had to furnish a house for the purpose of keeping the arms and ammunition in, and whereas the said John Hanson charges only sixty dollars per annum for his services and house rent ;

Therefore,

It is enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature assembled.

That from and after the passage of this Resolution, the President be, and he is hereby authorized and requested to draw out of the Public Treasury, any money not otherwise appropriated, and pay to John Hanson of Bassa County, the sum of two hundred and nine dollars and sixteen cents.

A RESOLUTION AUTHORIZING THE SECRETARY OF THE TREASURY TO SELL CERTAIN UNSERVICEABLE ARMS &c. &c.

Whereas the Secretary has recommended to the Legislature the propriety of selling, by public auction, certain unserviceable arms &c. &c. now in the government store,

Therefore,

It is resolved by the Senate and House of Representatives of the Republic of Liberia in Legislature assembled.

That the Secretary of the Treasury be, and he is hereby authorized to sell, by public auction, the unserviceable guns, pistols, swords, blunderbusses, &c. &c. for cash, and deposit the same in the treasury.

ARTICLE 1.

It is resolved by the Senate and House of Representatives of the Republic of Liberia in Legislature assembled.

That from and after the passage of this Resolution, the President be and he is hereby authorized to pay Collinet Ellis the amount of (\$ 50.75) fifty dollars and seventy five cents out of any moneys in the public Treasury ; said amount having been paid by her husband as one of the securities for certain parties who had been fined while all of the parties concerned had been released and discharged.

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ARTICLE 1.

AN ACT TO CONSTITUTE ROBERTSPORT, GRAND CAPE MOUNT, A PORT OF ENTRY AND DELIVERY.

It is enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature assembled.

SECTION 1. That from and after the passage of this Act, Robertsport, Grand Cape Mount, be, and the same is hereby constituted a port of Entry and Delivery.

RESOLUTION TO REIMBURSE EDWARD J. ROYE.

Whereas Edward J. Roye has petitioned the Legislature to refund him one hundred dollars, paid to High Sheriff of Montserrat County—as one of the bondsmen with G. R. Ellis, A. Blackledge, Robert McMurtry and others ; He, the said Edward J. Roye having paid his portion of said bond, one hundred dollars, before the President of the Republic of Liberia remitted the fines lying against the persons for whom the bond was given which persons were fined for certain election penalties connected with the election of 1855 ; the President having no authority to draw from the Public Treasury without the advice and consent of the Legislature, and no other bondsmen having paid except the said E. J. Roye, which makes the penalty fall upon one man only, which was not the design of the Court or the Executive ; therefore.—

Resolved by the Senate and House of Representatives of the Republic of Liberia in Legislature assembled :—

That His Excellency the President of the Republic of Liberia be and he is hereby authorized and requested to refund Edward J. Roye one hundred dollars out of any money in the public Treasury not otherwise appropriated, for the one hundred dollars paid by the said E. J. Roye to the High Sheriff of Montserrado County for fines.

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Called Session, April 1857.

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**A RESOLUTION FOR THE ADMISSION OF MARYLAND
IN LIBERIA AS A COUNTY.**

Whereas by the unanimous action of the Government and people of the State of Maryland in Liberia by a Resolution approved February 24th, 1857, they did consent that the territory properly included within, and rightfully belonging to the State of Maryland in Liberia might be erected into a County, to be called County of Maryland, comprising all the territory lying between the North western boundary line of Wedabo, and the Eastern line of Grand Taboo or line formed by the river San Pedro on the East, including all the harbors, bays, creeks, rivers, lakes, and Atlantic waters thereto appertaining, and the jurisdiction and sovereignty of the same; also all public buildings, forts, arsenals, guns, and munitions of war of every kind and description whatever, on a footing with the Counties now comprising the Republic of Liberia, which was adopted by the people of said State and by the General Assembly, with the consent of the then existing Government of Maryland in Liberia in order that the same might be admitted as one of the Counties of the Republic of Liberia; by a vote and the action of the Assembly and the consent of the then existing Government, did dissolve the Government of Maryland in Liberia, and erect a County with all the privileges and immunities awarded to other Counties of the Republic of Liberia, and in the name of the people of Maryland in Liberia and by authority the Commissioners of said State did ordain and declare the said Government dissolved, and ceded to the Republic of Liberia; and that

the people and Government assented to, and accepted the proposals, conditions and guarantees contained in their Act of dissolution of March 3rd 1857 and whereas the said proposals and guarantees as contained in said Act have been transmitted to the President of the Republic of Liberia, and laid before the Legislature in conformity to their request ; therefore

Resolved by the Senate and House of Representatives of the Republic of Liberia in Legislature assembled.

SECTION 1. That the State of Maryland in Liberia as hereby admitted as a County of the Republic of Liberia, with all her territory, harbors, creeks, rivers, lakes, and Atlantic waters together with all her public buildings, forts, arsenals, guns, and munitions of war of every kind and description, together with all her debts and dues ; and the County of Maryland is hereby declared to be one of the Counties of the Republic of Liberia, and admitted as a County of the same, possessing all the rights, and privileges and immunities of a County of the Republic under the provisions of the Laws and Constitution of the Republic.

2 It is further Resolved,—That the authorities of the County of Maryland aforesaid be, and they are hereby authorized to hold an election for President, Vice President and members of the Legislature, on the first Tuesday in May A. D. Eighteen hundred and fifty seven ; any law to the contrary notwithstanding.

PROVISIONAL REGULATIONS FOR THE COUNTY OF MARYLAND.

Whereas the State of Maryland in Liberia has been admitted by a Resolution passed by the present session of the Legislature, as a County of this Republic, under the name and style of "The County of Maryland," and now requires that her County regulations shall be duly established by law—and whereas, from the circumstances of the case, the County of Maryland cannot participate by her representative in our present deliberation ; therefore,

It is enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature assembled.

SECTION 1. That the following Regulations be, and the same are hereby enacted to be the Laws and Regulations pertaining especially to the County of Maryland, until otherwise ordered by the Legislature.

2. That Harper in the County of Maryland, be and the

same is hereby declared to be a regular Port of Entry and delivery.

3. That the Court of Monthly Sessions for the County of Maryland shall meet regularly on the first Monday in each month: and that the Court of Quarterly Sessions for the County of Maryland shall be held on the second Monday in February; May, August, and November in each year.

4. That the Militia of the County of Maryland be organized as the Fourth Regiment of the Republic.

5. That the President be and he is hereby requested to appoint and commission all of the officers for the County of Maryland provided by the constitution and Laws of this Republic, to serve until their successors shall have been duly appointed and qualified in the usual manner of filling such offices.

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ARTICLE. I.

A RESOLUTION TO DISTRIBUTE A CERTAIN QUANTITY OF PROVISIONS TO THE DISTRESSED IN THE COUNTY OF MARYLAND.

Resolved by the Senate and House of Representatives of the Republic of Liberia in Legislatures assembled.

That, in consequence of the distress now existing in the County of Maryland from war and other causes, the President be, and he is hereby authorized in his discretion to distribute to the most necessitous widows and orphans a portion of the provisions procured for the use of the late army to Palmas, to an amount not exceeding two hundred dollars.

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AN ACT TO EXTEND THE LAWS OF THE REPUBLIC OF LIBERIA OVER THE COUNTY OF MARYLAND.

It is Enacted by the Senate and House of Representatives of the Republic of Liberia in Legislature assembled.

That from and after the passage of this Act, the Laws of the Republic of Liberia are hereby declared to extend to and over, and have full force and effect within the county of Maryland admitted at the present session of the Legislature into the Union of the Republic of Liberia.

ARTICLE 1.

A RESOLUTION PROVIDING UNIFORMS FOR THE FOURTH REGIMENT.

That the President be, and he is hereby authorized to furnish to the Fourth Regiment one hundred and fifty uniforms from the proportion granted to the Counties of Montserrado, Basse and Sinoe: any law to the contrary notwithstanding.

ARTICLE 1.

AN ACT TO PROVIDE FOR A STEAMER.

Whereas from an extension of our coast by the annexation of Cape Palmas to this Republic, it is highly important, for the protection of the Revenue, and to prevent the revival of the Slave trade within the jurisdiction of the same, that the Republic of Liberia should, at as early a day as practicable, procure an armed steam vessel, in every respect suited for burning wood; and whereas, the said vessel may be adapted, not only for naval purposes, but also for the conveyance of dry freight, passengers, and the mail of this Republic; therefore,—

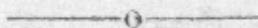
SECTION 1. That from and immediately after the passage of this Act, the Secretary of the Treasury be and he is hereby authorized, under the direction of the President, to negotiate with either one of the governments, England, France, or the United States, or with private individuals of either of the above mentioned countries on the most reasonable terms, payable in four annual installments, or for a longer term, for a good and substantial ocean steam vessel capacitated in every respect for burning wood, fully armed and equipped for naval purposes.

2. It is further Resolved, That for carrying into effect

the foregoing provisions, the sum of forty thousand dollars be, and the same is hereby appropriated, and that the President be, and he is hereby authorized to draw on the public treasury, in conformity with the provision of this Act, for the aforesaid sum of money.

8. It is further Resolved, That, in consequence of suitable and adequate arrangements having been made by the foregoing provisions for the procurement of a Steam vessel for Naval purposes, thereby superseding the necessity of sending the Government schooner *Lark* to a foreign port for "repair," the President be, and he is hereby authorized to cause the said vessel, called the "*Lark*," to be, put in the best possible repair at home, and that the sum of five thousand dollars be, and the same is hereby appropriated, and that the President be and he is hereby authorized to draw on the public treasury for the aforesaid sum of money, and that the Act passed and approved 27th January, 1857, authorizing the President to send the *Lark* to some foreign port for repair be, and the same is hereby repealed.

APPENDIX OF FORMS



Form of a Commission of Guardianship.

Commonwealth of Liberia to *Henry Honest* Greeting: You are hereby appointed Guardian of *Mary*, orphan of *Adam Ancient*, and are to take charge of her person and property, as soon as an appraisement and inventory can be made, and to take care of the same for her benefit, rendering accounts of your doings according to law.

Given under my hand, this day of in the year one thousand—

Clerk of the Orphan's Court,

For the Commission of Appraisement, use the form on the next page, only say, the *property of Mary Ancient, orphan of Adam Ancient*, instead of the *'estate of Adam Ancient, lately deceased.'* Make a similar change in the inventory, and say *'Guardian of the said Mary Ancient,'* instead of *'administrator of his estate.'* Make a similar change in the signature.

Form of a Guardian's Bond.

Know all men, that we, *Henry Honest, Samuel Surety and Frederick Friendly*, do bind ourselves to *Mary Ancient*, orphan of *Adam Ancient*, that the said *Henry Honest* shall well and faithfully perform the office of guardian of the said *Mary*, and that we will indemnify her against any injury, damage or loss, she may sustain by reason of the misconduct of the said *Henry Honest*, as such guardian.

Witness our hand, this ... day ... in the year one thousand,—

HENRY HONEST,
SAMUEL SURETY,
FREDERICK FRIENDLY.

Witness, THOMAS TESTIFY.
Bond Approved by

Chairman of the Orphan's Court.

Form of a Letter of Administration.

Commonwealth of Liberia to *Henry Honest*, Greeting :

You are hereby appointed Administrator of the lands, goods, chattels and estate, of *Adam Ancient*, lately deceased, and are, as soon as an appraisement and inventory of the same can be made, to take possession thereof, and administer the same according to law, for the benefit of his heirs and creditors.

Given under my hand this day of in the
year one thousand,———

Clerk of the Orphan's Court.

Form of an Administrator's bond.

Know all men that we *Henry Honest, Samuel Surety and Frederick Friendly*, do bind ourselves to the heirs and creditors, and all other persons interested in the estate of *Adam Ancient*, lately deceased, and to each of them, that the said *Henry Honest*, shall well and faithfully perform the office of administrator; of the estate of the said *Adam Ancient*, and that we will indemnify all persons against any injury, damage or loss they may sustain by reason of any misconduct of the said *Henry Honest*, as such administrator.

Witness our hand this - - - day of - - - in the year
one thousand,———

HENRY HONEST,
SAMUEL SURETY,
FREDERICK FRIENDLY.

Witness, THOMAS TESTIFY.

Chairman of the Orphan's Court.

Form of an Inventory of a Deceased Man's Estate.

An Inventory of the lands, goods, chattels, money and property of *Adam Ancient*, deceased, so far as they have come to the hands or knowledge of *Henry Honest*, Administrator of his estate, appointed by virtue of the annexed commission.

1. One town lot of the following description [insert description.] valued at - - - - \$0

2 One pair of oxen, valued at - - - - "

[And so go through the whole.]

Valued and appraised by us on this - - - day - - - in
the year one thousand,———

SAMUEL SKILLFUL.
PHILIP PRUDENT.

And taken possession of by

On this - - - day of - - - before the subscriber appeared
Henry Honest, Administrator
Samuel Skillful, Philip Prudent, and *Henry Honest*, and were

severally affirmed according to law, that the above written inventory of the estate of *Adam Ancient*, is just and true, and includes all the property of the said *Adam Ancient*, of which they have any knowledge, and that if they should discover any additional property, they will disclose the same.

SAMUEL STRICT.
Justice of the Peace.

Form of a Writ of Re-summmons.

Commonwealth of Liberia, to - - - Sheriff of the County of - - - Greeting -

You are hereby commanded to summon [as you were before commanded,] *Daniel Defendant* to appear before the - - -
- - - for this - - - on [insert the time,] to answer the complaint of *Peter Plaintiff* and have you there this writ.

Issued this - - - day of - - - in the year one thousand—

Place of }
the seal }

PHILIP PENMAN.
Clerk of said Court.

A writ of summons is in the same form omitting the words "*as you were before commanded.*"

Form of a Writ of Attachment.

Commonwealth of Liberia, to - - - Sheriff of the County of— Greeting :

You are hereby commanded to summon, [as you were before commanded,] *Daniel Defendant*, to appear before the—
for this - - - on [insert the time] to answer the complaint of *Peter Plaintiff*, and also to attach the lands, goods, chattels and credits of the said *Daniel Defendant*, to the value of [insert the sum,] and certify, your doings to the said court, at the said day, and have you there this writ.

Issued this - - - day of - - - in the year one thousand—

{ Place of }
{ the seal }

PHILIP PENMAN,
Clerk of said Court.

The words "*as you were before commanded*" to be omitted whenever an attachment is issued without a previous summons.

When the attachment is against specific property the description thereof is to be inserted instead of the words "*the lands, goods, chattels and credits of the said Daniel Defendant*"; and all mention of value to be omitted.

Form of an Affidavit to obtain an Attachment in Debt.

Peter Plaintiff makes oath according to law. (or else solemnly, sincerely and truly affirms,) that *Daniel Defendant* is justly indebted to him, the sum of dollars, and that he fears the said *Daniel Defendant* cannot be found to be summoned.

Sworn before
the Peace,

HENRY HONEST, Justice of

On this—— day of—— in the year one thousand——

What follows the word; 'dollars' to 'sworn before' is only to be inserted when an attachment is wanted without a previous summons, and the plaintiff may, if he will, exchange it for 'and fears the said *Daniel Defendant*, will not appear if summoned.' Where the affidavit is to be filed in an action of damages, the nature of the injury must be specially stated, and also the amount of damages in a form something like what follows, but adapted to each particular case.

Form of an Affidavit for an Attachment in Damages.

Peter Plaintiff makes oath according to law, or solemnly, sincerely, and truly affirms) that *Daniel Defendant* detains from him, the said *Peter Plaintiff*, one pair of oxen, and that he is thereby damaged to the value of (insert the sum) and that he fears the said *Daniel Defendant* cannot be found to be summoned.

Sworn before Henry Honest, Justice of the Peace

On this day of in the year one thousand——

Form of a Schedule under an Attachment.

Schedule of the lands, goods, and chattels of *Daniel Defendant* seized and taken at the suit of *Peter Plaintiff*, under a writ of attachment, issued out of the—— for this —— on the (insert date of writ,) that is to say :

One town lot —— in the town——

Of the following description, (insert description)

Appraised——

\$0

(And so on until all things seized are scheduled)

Appraised by

HENRY HONEST,

SAMUEL SKILFUL.

} Appraisers.

Property taken and appraisers

affirmed, by

DAVID DILIGENT, Sheriff.

Form of a Writ of Arrest.

Commonwealth of Liberia to
county of _____ Greeting : Sheriff of the _____

You are hereby commanded, to arrest the body of *Daniel Defendant* and bring him before some judge or other person authorized to receive bail, to give security in the sum of ——— that he will appear before the ———

for the — on the (*insert the time*) to answer the complaint of *Peter Plaintiff* herewith sent, unless he shall shew you property liable to be attached under the accompanying writ of attachment, sufficient to cover the said sum, and make known your doings to the said court, at the said day, and have there this writ.

Issued by special order of the court,) or of John Just, one
of the judges of the court,) this . . . day of
in the year one thousand—

{ Place of
the seal }

PHILIP PENMAN,
Clerk of said Court.

Form of a Writ of Injunction.

Commonwealth of Liberia, to *Daniel Defendant*, Greeting :

You are hereby commanded and enjoined to abstain and desist altogether from [insert the matters intended to be prohibited] until further order is taken in the premises, and you are further commanded to appear before the _____ for the _____ on [insert the time] to answer the complaint of the Plaintiff, and to shew cause why this injunction should be dissolved.

Issued in duplicate and by special order [of the court, or of John Just, one of the judges of the court,] this - - day of - - - - in the year one thousand—

{ Place of }
{ the seal }

PHILP PENMAN,
Clerk of said court.

Form of a Writ of Arrest for disobeying an Injunction.

Commonwealth of Liberia to - Sheriff of the
County of Greeting;

You are hereby commanded to arrest the body of *Daniel Defendant*, and bring him before the - - - for &c., or some judge thereof, immediately, to answer for disobeying an injunction issued by the said court, on the complaint of *Peter Plaintiff*.

Issued by special order [*of the court or of John Just, one of the Judges of the court*] this] day of in the year one thousand—

{ Place of }
{ the seal }

PHILIP PENMAN,
Clerk of said Court.

Form of a Replevin Bond.

KNOW all men, that we, *Peter Plaintiff*, *Samuel Surety* and *William Wealthy*, bind ourselves to *Daniel Defendant*, that the said *Peter Plaintiff*, or his administrator, or other representatives, will return the goods, which may be replevied by virtue of a writ of replevin, which he the said *Peter Plaintiff* is about to issue out of the - - - for the :

against the said *Daniel Defendant* for the purpose of obtaining possession of the following goods, that is to say [insert the list of goods] and will also pay all the cost of the replevin, if any court having jurisdiction of the cause, shall so adjudge, and will also indemnify the said *Daniel Defendant*, from injury he may sustain by means of the said writ of replevin.

The penalty of this bond is - - - dollars.

Witness our hands, this.... day of
in the year one thousand—.

PETER PLAINTIFF
SAMUEL SURETY,
WILLIAM WEALTHY.

Witness, PHILIP PENMAN.

Clerk of said Couat

Form of a Schedule under a Writ of Replevin.

Schedule of goods replevied and delivered to *Peter Plaintiff*, by virtue of a writ of replevin issued out of the....

for - - - the . . . at the suit of the
said - - - against *Daniel Defendant*, on the.....
day of . . . in the year one thousand—.

One pair of oxen, appraised at - - - \$0

(And so on until all things replevied are scheduled.)

Appraised by HENRY HONEST }
SAMUEL SKILLFUL } Appraisers.

Property replevied, and }
Appraisers affirmed by } Sheriff of said County

Received the above property from the Sheriff,
PETER PLAINTIFF.

Form of a Writ of Replevin.

Commonwealth of Liberia, to ——— Sheriff of the
County of ——— Greeting :

You are hereby commanded to replevy out of the possession of *Daniel Defendant*, the following goods, that is to say, [insert list as in hand] and deliver the same to *Peter Plaintiff* and summon the said *Daniel Defendant*, to appear, &c, as in a writ of summons.

Form of a Bail Bond

Know all men, that we *Daniel Defendant* and *Benjamin Bail*, do bind ourselves, to *Peter Plaintiff*, that the said *Daniel Defendant* will perform the judgment of the . . . for the . . . of . . . in an action of debt, brought by the said *Peter Plaintiff*, against the said *Daniel Defendant*, on the . . . day of . . . in the year one thousand . . . and the judgment of any court, to which an appeal from such judgment may be taken, or that he will deliver his body to any Sheriff, to whom an execution on any such judgment may have been directed, under a penalty of . . . dollars.

Witness our hands, this . . . day of . . . in the year one thousand.

DANIEL DEFENDANT,
BENJAMIN BAIL.

Witness, JOHN JUST.

Form of a Commitment.

Commonwealth of Liberia, to . . . Sheriff of the County of . . . Greeting:

Receive into your custody and prison, the body of *Daniel Defendant*, and him safely keep, to answer the complaint of *Peter Plaintiff*, in the court, [insert style of court,] until he shall be discharged by due course of law.

JOHN JUST,
One of the judges of the said court.
[or Commissioner of Bail.]

Form of a Complaint in an action of Damages.

Peter Plaintiff, complains that *Daniel Defendant*, contracted with him in manner following. that is to say. [State the contract,] and that he has not performed the said contract in this, that is to say, (State the act of omission complained of) whereby the said plaintiff hath sustained damages to the amount of.

All which the said plaintiff is ready to prove.

PETER PLAINTIFF.

Form of a Complaint in an Action upon a Written Contract.

Peter Plaintiff complains that *Daniel Defendant*, contracted with him in the manner set forth in a written contract, a copy whereof is herewith filed, and that he has not performed the said contract in this, that is to say, (state the acts or omission complained of,) whereby the said plaintiff hath sustained damage. All of which the said plaintiff is ready to prove.

PETER PLAINTIFF

If there are several written contracts, say as to the first, after the word '*filed*', *marked No.*' . . . repeat the complaint as often as there are contracts, in the manner directed in the section 5th, page 15, part second; distinguishing each contract by its No.

Form of a Complaint in debt on a Written Instrument.

Peter Plaintiff complains that *Daniel Defendant*, is indebted to him by virtue of the written instrument, a copy of which is herewith filed, as will appear thereby, and has neglected to pay said debt. All of which the said plaintiff is ready to prove.

PETER PLAINTIFF.

Form of a Complaint in debt on a Written Instrument, where it does not appear on the face of the instrument alone.

Peter Plaintiff, complains that *Daniel Defendant*, is indebted to him by force of the written instrument, a copy of which is herewith filed; because he says that (*insert facts necessary to establish the debt*,) and that the said *Daniel Defendant*, has neglected to pay the said debt. All of which the plaintiff is ready to prove.

PETER PLAINTIFF.

N. B. The mere lapse of time bringing a debt due, is not a fact which renders it necessary to have recourse to the last form.

Form of a Complaint in an Action of Specific Performance

Peter Plaintiff complains that *Daniel Defendant* contracted with him in the manner set forth in an instrument of writing, a copy whereof is herewith filed, and although the said *Peter Plaintiff* hath performed his part of the said contract, yet the said *Daniel Defendant*, refuses to perform his part thereof in this, that is to say. (*state the acts or omissions complained of.*) All which the said plaintiff is ready to prove, wherefore he prays judgment of specific performance of the said contract.

PETER PLAINTIFF.

Form of a Complaint in Injunction.

Peter Plaintiff, complains that *Daniel Defendant* intends to *state the act which it is intended to enjoin*, (and that the said *Daniel Defendant*, ought not to do the said acts, which he intends to do as aforesaid, because the said plaintiff says that (*insert the acts and circumstances which are relied upon as the*

ground of the injunction.) All which the said plaintiff is ready to prove; wherefore he prays that the said *Daniel Defendant*, may be enjoined to abstain and desist from doing the said acts which he intends to do as aforesaid.

PETER PLAINTIFF.

Peter Plaintiff, makes oath according to law, that the facts stated in the above complaint, are true to the best of his knowledge and belief. Sworn before me.

HENRY HONEST,
Justice of the Peace.

Form of a Complaint in Replevin.

Peter Plaintiff, complains that *Daniel Defendant*, detained one pair of oxen belonging to the said plaintiff, being the same replevied in this action. All of which the said plaintiff is ready to prove.

PETER PLAINTIFF.

Form of a complaint in Ejectment, on the Possession of the Plaintiff.

Peter Plaintiff, complains that he was possessed of a certain piece of land, of the following description, [*insert description*,] and that *Daniel Defendant*, unlawfully detains the said land from him. All of which the said plaintiff is ready to prove.

PETER PLAINTIFF.

Form of a Complaint in Ejectment on the Possession of Another.

Peter Plaintiff complains that *George Grantor*, was possessed of a piece of land of the following description, to wit (*insert description*) that the title of the said *George Grantor*, hath lawfully come to him the said plaintiff, and that *Daniel Defendant*, unlawfully detains the said land from him. All of which the said plaintiff is ready to prove.

PETER PLAINTIFF.

Form of a Complaint in Ejectment for Dower.

Priscilla Plaintiff widow of *Peter Plaintiff*, complains that she was married to the said *Peter Plaintiff*, and that the said *Peter Plaintiff*, is dead, and that during the marriage, the said *Peter Plaintiff*, was possessed in absolute property of a certain piece of land of the following description (*insert description*.) By means of all which the said *Priscilla Plaintiff*, is entitled to dower in said land, which dower *Daniel Defen-*

dant, unlawfully detains from her. All of which the said plaintiff is ready to prove.

PRISCILLA PLAINTIFF.

Form of a Complaint in Ejectment upon Title.

Peter Plaintiff, complains that he is entitled to a piece of land, of the following description, (*insert description*) by virtue of a deed herewith filed, from *Daniel Defendant* to him (or to *George Grantor*, whose title hath lawfully come to the said plaintiff,) and that the said *Daniel Defendant*, unlawfully detains the said land from him. All of which the said plaintiff is ready to prove.

PETER PLAINTIFF.

Form of a Complaint in Ejectment upon title derived from the Sheriff.

Peter Plaintiff complains that a judgment was heretofore obtained by *Peter Purchaser*, against one *Daniel Defendant*, in the court of ——— in an action of debt as will appear by a copy thereof, herewith filed; that an execution was issued thereon, directed to *David Diligent*, Sheriff of the ——— and that the said sheriff in pursuance thereof, sold certain lands of the said *Daniel Defendant* to *Peter Purchaser*, whose title hath since lawfully come to the said plaintiff, and that the lands so sold, are of the following description (*insert description*) and that the said *Daniel Defendant* detains the said lands from the said plaintiff. All of which the said plaintiff is ready to prove.

PETER PLAINTIFF.

Form of a Complaint in Ejectment against a Tenant who holds Over.

Peter Plaintiff complains that he was possessed of a piece of land of the following description, that is to say (*insert description*), that he leased the same to *Daniel Defendant*, for a term which expired on the ——— day of ——— last, and the said *Daniel Defendant* unlawfully detains the said land from him. All of which the said plaintiff is ready to prove.

PETER PLAINTIFF.

Same by an Assignee of the Landlord against an Assignee of the Tenant.

Peter Plaintiff complains that *George Grantor* was possessed of a piece of land of the following description, that is to say [*insert description*] that the said *George Grantor* leased the same to one *Richard Rentor*, for a term which expired on the

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